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LEGISLATIVE HISTORY
Public Law 89-451
H. R. 15151

TABLE OF CONTENTS

Index and summary of H. R. 15151	.1
Digest of Public Law 89-451	.2

INDEX AND SUMMARY OF H. R. 15151

May	18, 1966	Rep. Jones, Mo., introduced H. R. 15151 which was referred to House Agriculture Committee. Print of bill as introduced.
May	19, 1966	Sen. Eastland introduced S. 3382 which was referred to Senate Agriculture and Forestry Committee. Print of bill as introduced.
May	24, 1966	House committee reported H. R. 15151 with an amendment. H. Report 1549. Print of bill and report. House passed H. R. 15151 as reported.
May	26, 1966	H. R. 15151 was placed on the Senate calendar.
June	1, 1966	Senate passed H. R. 15151 with amendments. Senate conferees were appointed.
June	2, 1966	House conferees were appointed.
June	6, 1966	Conferees agreed to file a report.
June	7, 1966	House received and agreed to conference report on H. R. 15151. H. Report No. 1611. Print of report.
June	8, 1966	Senate began debate on conference report.
June	9, 1966	Senate agreed to the conference report on H. R. 15151.
June	17, 1966	Approved: Public Law 89-451.

DIGEST OF PUBLIC LAW 89-451

ALTERNATE CROPPING IN DISASTER AREAS. Amends the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938 to give farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disasters the same opportunity to plant alternate crops that the law accords farmers whose crops have been destroyed by such disaster after planting.

H. R. 15151

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 1966

Mr. JONES of Missouri introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To permit the planting of soybeans in lieu of cotton in certain
disaster areas in 1966.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 103 (d) of the Agricultural Act of 1949, as
4 amended, is amended by adding before the period at the end
5 of paragraph (3) thereof the following: “: *Provided, That*
6 for the 1966 crop any such acreage in areas designated by
7 the Secretary as disaster areas may be devoted to soybeans.”

89TH CONGRESS
2d Session

H. R. 15151

A BILL

To permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966.

By Mr. JONES of Missouri

MAY 18, 1966

Referred to the Committee on Agriculture

S. 3382

IN THE SENATE OF THE UNITED STATES

MAY 19, 1966

MR. EASTLAND (for himself, Mr. BASS, Mr. SYMINGTON, Mr. LONG of Missouri, Mr. COOPER, and Mr. McCLELLAN) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the Agriculture Act of 1949, as amended, to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966.

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2 *tives of the United States of America in Congress assembled,*
3 That section 103 (d) of the Agricultural Act of 1949, as
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A BILL

To amend the Agriculture Act of 1949, as amended, to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966.

By Mr. EASTLAND, Mr. BASS, Mr. SYMINGTON,
Mr. LONG of Missouri, Mr. COOPER, and Mr.
McCLELLAN

MAY 19, 1966
Read twice and referred to the Committee on
Agriculture and Forestry

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

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Issued May 25, 1966
For actions of May 24, 1966
89th 2nd; No. 85

CONTENTS

Animal research.....13	Federal aid.....20	Population.....17
Buildings.....8	Food.....17	Price supports.....5,19
Butter.....35	Foreign trade.....14,34,38	Public debt.....10,33
CCC.....11	Great Society.....23	Recreation...4,12,25,26,30
Committee assignments...3	Highways.....21	Research.....9,13
Conservation.....25	Income tax.....36	Rural development.....7
Credit.....29	Information.....22	School milk.....18
Dairy imports.....34	Labor standards.....2,32	Soil conservation.....6
Disaster relief.....1	Manpower.....31	Surplus property.....37
East-West trade.....38	Military construction...11	Turkeys.....19
Farm labor.....2	Milk prices.....5	Voting record.....27
Farm prices....5,15,19,28	Parity prices.....28	Water.....16,39
Farmers.....24	Personnel.....36	

HIGHLIGHTS: House passed bill to permit alternate crops on acreage unplanted because of natural disaster. House debated labor standards bill.

HOUSE

1. DISASTER RELIEF. Passed as reported H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of natural disaster, which had been reported with amendment earlier in the day (H. Rept. 1549). pp. 10727-8, 10806
2. LABOR STANDARDS. Began debate on H. R. 13712, making various amendments to the Fair Labor Standards Act, including its extension to farm labor. General debate was completed. The bill is to be read for amendment today. pp. 10731-70

3. COMMITTEE ASSIGNMENTS. Rep. Erlenborn was elected to the Education and Labor Committee, Rep. Edwards to Government Operations, and Rep. Skubitz to Public Works. p. 10727
4. RECREATION. Rep. O'Neal, Ga., objected to the proposal to charge fees for recreation at Corps of Engineers projects. pp. 10770-1
5. MILK PRICES. Rep. Nelsen said Gardner Ackley's recommendation of an increase in milk supports comes too late. p. 10785
6. SOIL CONSERVATION. Rep. Teague, Calif., spoke in observance of Soil Stewardship Week. p. 10786
7. RURAL DEVELOPMENT. Rep. Patman inserted and commended Secretary Freeman's speech at Hot Springs, Va., on rural development. pp. 10797-9
8. BUILDINGS. The Foreign Affairs Committee reported without amendment H. R. 1401 to authorize additional appropriations for Government buildings in foreign countries (H. Rept. 1551). p. 10806
9. RESEARCH. Received the conference report on S. 944, to provide for expanded research and development in the marine environment of the U. S. (H. Rept. 1548) p. 10806
10. PUBLIC DEBT. The Ways and Means Committee voted to report (but did not actually report) H. R. 15202, to limit the public debt to \$330 billion for the fiscal year 1967. p. D453

SENATE

11. MILITARY CONSTRUCTION. The Armed Services Committee reported with an amendment S. 3105, the fiscal 1967 authorization for military construction, including authorization of appropriations for payment on the debt to the Commodity Credit Corporation for foreign currencies used in prior years by the Department of Defense for foreign military family housing (S. Rept. 1185) (p. 10686). This bill was made the unfinished business of the Senate (pp. 10720-1).
12. RECREATION. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action H. R. 10451, to authorize the Interior Department to transfer certain Colorado lands to the Agriculture Department for recreation development. p. D450
13. RESEARCH ANIMALS. Sen. Young, Ohio, urged legislation to correct "the intolerable conditions that now exist regarding the sale and treatment of vertebrate animals used for experimental purposes." p. 10689
14. FOREIGN TRADE. Sen. Javits spoke in support of the proposed East-West Trade Relations Act of 1966, which "would provide the President with the necessary authority to negotiate commercial agreements with Communist countries," and inserted supporting articles. pp. 10694-7
 Sen. Javits expressed concern over the "increased imports of foreign made rubber-soled footwear and shoes" and inserted a fact sheet on the import of this product. pp. 10698-9

PERMITTING THE PLANTING OF ALTERNATE CROPS ON ACREAGE WHICH IS UNPLANTED BECAUSE OF A NATURAL DISASTER

MAY 24, 1966.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the
following

R E P O R T

[To accompany H.R. 15151]

The Committee on Agriculture, to whom was referred the bill (H.R. 15151) to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966, having considered the same, report favorably thereon with an amendment and recommend that the bill do pass.

The amendment is as follows:

Strike all after the enacting clause and insert:

That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words "income producing crop in such year." and inserting "crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence "An acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year." and inserting in lieu thereof the sentence "An acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as, amended is amended by striking out the sentence reading "An acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year." and inserting in lieu thereof the sentence "An acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for

harvest for purposes of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect."

Amend the title so as to read:

A bill to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

PURPOSE

The purpose of this bill is to give farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disaster the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such a disaster after planting.

NEED FOR THE LEGISLATION

Under the provisions of the Food and Agriculture Act of 1965, farmers who have signed up to participate in the wheat, feed grain, or cotton program and have planted their permitted acreage only to have it destroyed by flood, drought, or other natural disaster, are eligible to receive the land-diversion and price support payments they would have received had the crop not been destroyed. At the same time, they are permitted to use the land for any other nonregulated crop.

Apparently by inadvertence, this same privilege of planting alternative crops was not extended to those farmers participating in the wheat, feed grain, or cotton programs who were prevented by flood or other natural disaster from even planting their permitted acres.

This situation was brought to the attention of the committee as the result of the heavy and protracted rains in the south central part of the United States which have prevented some cotton farmers from planting. The bill will permit these farmers, if the Secretary finds that their failure to plant was due to a natural disaster, to have the same opportunity to plant an alternative crop that the law now permits for farmers who did plant their permitted crop and had it destroyed later.

COMMITTEE AMENDMENT

Hearings were held on similar bills by Mr. Jones of Missouri, Mr. Gathings, of Arkansas, Mr. Abernethy, of Mississippi, Mr. Stubblefield, of Kentucky, Mr. Passman, of Louisiana, and Mr. Everett, of Tennessee. All these bills related only to cotton.

The committee has amended the bill introduced by Mr. Jones (H.R. 15151) so as to make the same principle apply to wheat and feed grains, as well as to cotton.

The bill as amended was unanimously reported.

COST

There should be no additional cost to the Government as the result of this legislation.

DEPARTMENTAL APPROVAL

Witnesses for the Department of Agriculture at the hearings stated that the Department recognizes the equity of the situation involved here and has no objection to the bill as amended.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ACT OF 1949, AS AMENDED

* * * * *

SEC. 103. * * *

(d)(1) Notwithstanding any other provision of this Act, if producers have not disapproved marketing quotas, price support and diversion payments shall be made available for the 1966, 1967, 1968, and 1969 crops of upland cotton as provided in this subsection.

(2) Price support for each such crop of upland cotton shall be made available to cooperators through loans at such level, not exceeding a level which will reflect for Middling one-inch upland cotton at average location in the United States 90 per centum of the estimated average world market price for Middling one-inch upland cotton for the marketing year for such crop, as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States taking into consideration the factors specified in section 401(b) of this Act: *Provided*, That the national average loan rate for the 1966 crop shall reflect 21 cents per pound for Middling one-inch upland cotton.

(3) The Secretary also shall provide additional price support for each such crop through payments in cash or in kind to cooperators at a rate not less than 9 cents per pound: *Provided*, That the rate shall be such that the amount obtained by—

(i) multiplying the rate by the farm domestic acreage allotment percentage, and

(ii) dividing the product thus obtained by the cooperator percentage established under section 408(b), and

(iii) adding the result thus obtained to the national average loan rate

shall not be less than 65 per centum or more than 90 per centum of the parity price for cotton as of the month in which the payment rate provided for by this paragraph is announced. Such payments shall be made on the quantity of cotton determined by multiplying the projected farm yield by the acreage planted to cotton within the farm domestic acreage allotment: *Provided*, That any such farm planting not less than 90 per centum of such domestic acreage allotment shall be deemed to have planted the entire amount of such allotment. An acreage on a farm in any such year which the Secretary finds was not planted to cotton because of drought, flood, or other natural disaster shall be deemed to be planted to cotton for purposes of payments under this subsection if such acreage is not subsequently devoted to any other [income-producing crop in such year.] *crop for which there are marketing quotas or voluntary adjustment programs in effect.*

(4) The Secretary shall make diversion payments in cash or in kind in addition to the price support payments authorized in paragraph (3)

to cooperators who reduce their cotton acreage by diverting a portion of their cotton acreage allotment from the production of cotton to approved conservation practices to the extent prescribed by the Secretary: *Provided*, That no reduction below the domestic acreage allotments established under section 350 of the Agricultural Adjustment Act of 1938, as amended, shall be prescribed: *Provided further*, That payment under this paragraph shall be made available for diverting to conserving uses that part of the acreage allotment which must be diverted from cotton in order that the producer may qualify as a cooperator. The rate of payment for acreage required to be diverted in order to qualify as a cooperator shall not be less than 25 per centum of the parity price for upland cotton as of the month in which such rate is announced. The rate of payment for additional acreage diverted shall be such rate as the Secretary determines to be fair and reasonable, but shall not exceed 40 per centum of such parity price. Payment at each applicable rate shall be made on the quantity of cotton determined by multiplying the acreage diverted from the production of cotton at such rate by the projected farm yield. In addition to the foregoing payment, if any, payment at the rate applicable for acreage required to be diverted to qualify as a cooperator shall be made to producers on small farms as defined in section 408(b) who do not exceed their farm acreage allotments on a quantity of cotton determined by multiplying an acreage equal to 35 per centum of such farm acreage allotment by the projected farm yield.

(5) The Secretary may make not to exceed 50 per centum of the payments under this subsection to producers in advance of determination of performance and the balance of such payments shall be made at such time as the Secretary may prescribe.

(6) Where the farm operator elects to participate in the diversion program authorized in this subsection and no acreage is planted to cotton on the farm, diversion payments shall be made at the rate established under paragraph (4) for acreage required to be diverted to qualify as a cooperator on the quantity of cotton determined by multiplying that part of the farm acreage allotment required to be diverted to qualify as a cooperator by the projected farm yield, and the remainder of such allotment may be released under the provisions of section 344(m)(2) of the Agricultural Adjustment Act of 1938, as amended. The acreage on which payment is made under this paragraph shall be regarded as planted to cotton for purposes of establishing future State, county, and farm acreage allotments, and farm bases.

(7) Payments in kind under this subsection shall be made through the issuance of certificates which the Commodity Credit Corporation shall redeem for cotton under regulations issued by the Secretary at a value per pound equal to not less than the current loan rate therefor. The Corporation may, under regulations prescribed by the Secretary, assist the producers in the marketing of such certificates at such times and in such manner as the Secretary determines will best effectuate the purposes of the program authorized by this subsection.

(8) Payments under this subsection shall be conditioned on the farm having an acreage of approved conservation uses equal to the sum of (i) the reduction in cotton acreage required to qualify for such payments (hereinafter called "diverted acreage"), and (ii) the average acreage of cropland on the farm devoted to designated soil-conserving crops or practices, including summer fallow and idle land,

during a base period prescribed by the Secretary: *Provided*, That the Secretary may permit all or any part of such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, and flaxseed, if he determines that such production is necessary to provide an adequate supply of such commodities, is not likely to increase the cost of the price support program, and will not adversely affect farm income, subject to the condition that payment under paragraph (4) or (6) with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable, taking into consideration the use of such acreage for the production of such crops, but in no event shall the payment exceed one-half the rate which otherwise would be applicable if such acreage were devoted to conservation uses.

(9) The acreage regarded as planted to cotton on any farm which qualifies for payment under this subsection except under paragraph (6) shall, for purposes of establishing future State, county, and farm acreage allotments and farm bases, be the farm acreage allotment established under section 344 of the Agricultural Adjustment Act of 1938, as amended, excluding adjustments under subsection (m)(2) thereof.

(10) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing diversion payments on a fair and equitable basis under this subsection. The Secretary shall provide for the sharing of price support payments among producers on the farm on the basis of their respective shares in the cotton crop produced on the farm, or the proceeds therefrom, except that in any case in which the Secretary determines that such basis would not be fair and equitable, the Secretary shall provide for such sharing on such other basis as he may determine to be fair and equitable.

(11) In any case in which the failure of a producer to comply fully with the terms and conditions of the programs formulated under this Act preclude the making of payments under this section, the Secretary may, nevertheless, make such payments in such amounts as he determines to be equitable in relation to the seriousness of the default.

(12) Notwithstanding any other provision of this Act, if, as a result of limitations hereafter enacted with respect to price support under this subsection, the Secretary is unable to make available to all cooperators the full amount of price support to which they would otherwise be entitled under paragraphs (2) and (3) of this subsection for any crop of upland cotton, (A) price support to cooperators shall be made available for such crop (if marketing quotas have not been disapproved) through loans or purchases at such level not less than 65 per centum nor more than 90 per centum of the parity price therefor as the Secretary determines appropriate; (B) in order to keep upland cotton to the maximum extent practicable in the normal channels of trade, such price support may be carried out through the simultaneous purchase of cotton at the support price therefor and resale at a lower price or through loans under which the cotton would be redeemable by payment of a price therefor lower than the amount of the loan thereon; and (C) such resale or redemption price shall be such as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States.

(13) The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection.

(14) The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection.

* * * * *

SEC. 105. * * *

(e) For the 1966 through 1969 crops of feed grains, the Secretary shall require, as a condition of eligibility for price support on the crop of any feed grain which is included in any acreage diversion program formulated under section 16(i) of the Soil Conservation and Domestic Allotment Act, as amended, that the producer shall participate in the diversion program to the extent prescribed by the Secretary, and, if no diversion program is in effect for any crop, he may require as a condition of eligibility for price support on such crop of feed grains that the producer shall not exceed his feed grain base: *Provided*, That the acreage on any farm which is diverted from the production of feed grains pursuant to a contract hereafter entered into under the Crop-land Adjustment Program shall be deemed to be acreage diverted from the production of feed grains for purposes of meeting the foregoing requirements for eligibility for price support: *Provided further*, That the Secretary may provide that no producer of malting barley shall be required as a condition of eligibility for price support for barley to participate in the acreage diversion program for feed grains if such producer has previously produced a malting variety of barley, plants barley only of an acceptable malting variety for harvest, does not knowingly devote an acreage on the farm to barley in excess of 110 per centum of the average acreage devoted on the farm to barley in 1959 and 1960, does not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the acreage devoted on the farm to corn and grain sorghums in 1959 and 1960, and does not devote any acreage devoted to the production of oats and rye in 1959 and 1960 to the production of wheat pursuant to the provisions of section 328 of the Food and Agriculture Act of 1962. Such portion of the support price for any feed grain included in the acreage diversion program as the Secretary determines desirable to assure that the benefits of the price-support and diversion programs inure primarily to those producers who cooperate in reducing their acreages of feed grains shall be made available to producers through payments-in-kind. Such payments-in-kind shall be made available on the maximum permitted acreage, or the Secretary may make the same total amount available on a smaller acreage or acreages at a higher rate or rates. The number of bushels of such feed grain on which such payments-in-kind shall be made shall be determined by multiplying that part of the actual acreage of such feed grain planted on the farm for harvest on which the Secretary makes such payments available by the farm projected yield per acre: *Provided*, That for purposes of such payments, the Secretary may permit producers of feed grains to have acreage devoted to soybeans considered as devoted to the production of feed grains to such extent and subject to such terms and conditions as the Secretary determines will not impair the effective operation of the price support program: *Provided further*, That for purposes of such payments, pro-

ducers on any farm who have planted not less than 90 per centum of the acreage of feed grains permitted to be planted shall be deemed to have planted the entire acreage permitted. Notwithstanding the provisions of subsection (a), that portion of the support price which is made available through loans and purchases for the 1966 through 1969 crops may be reduced below the loan level for the 1965 crop by such amounts and in such stages as may be necessary to promote increased participation in the feed grain program, taking into account increases in yields, but so as not to disrupt the feed grain and livestock economy: *Provided*, That this authority shall not be construed to modify or affect the Secretary's discretion to maintain or increase total price support levels to cooperators. [An acreage on the farm which the Secretary find was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year.] *An acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect.* The Secretary may make not to exceed 50 per centum of any payments hereunder to producers in advance of determination of performance. Payments-in-kind shall be made through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem for feed grains (such feed grains to be valued by the Secretary at not less than the current support price made available through loans and purchases, plus reasonable carrying charges) in accordance with regulations prescribed by the Secretary and notwithstanding any other provision of law, the Commodity Credit Corporation shall, in accordance with regulations prescribed by the Secretary, assist the producer in the marketing of such certificates. The Secretary shall provide for the sharing of such certificates among producers on the farm on the basis of their respective shares in the feed grain crop produced on the farm, or the proceeds therefrom, except that in any case in which the Secretary determines that such basis would not be fair and equitable, the Secretary shall provide for such sharing on such other basis as he may determine to be fair and equitable. If the operator of the farm elects to participate in the acreage diversion program, price support for feed grains included in the program shall be made available to the producers on such farm only if such producers divert from the production of such feed grains, in accordance with the provisions of such program, an acreage on the farm equal to the number of acres which such operator agrees to divert, and the agreement shall so provide. In any case in which the failure of a producer to comply fully with the terms and conditions of the programs formulated under this subsection (e) and subsection (d) of this section preclude the making of payments-in-kind, the Secretary may, nevertheless, make such payments-in-kind in such amounts as he determines to be equitable in relation to the seriousness of the default.

AGRICULTURAL ACT OF 1938, AS AMENDED

* * * * *

MARKETING CERTIFICATES

SEC. 379c. (a) The Secretary shall provide for the issuance of wheat marketing certificates for each marketing year for which a wheat marketing allocation program is in effect for the purpose of enabling producers on any farm with respect to which certificates are issued to receive, in addition to the other proceeds from the sale of wheat, an amount equal to the value of such certificates. The wheat marketing certificates issued with respect to any farm for any marketing year shall be in the amount of the farm wheat marketing allocation for such year, but not to exceed (i) the actual acreage of wheat planted on the farm for harvest in the calendar year in which the marketing year begin multiplied by the normal yield of wheat for the farm, plus (ii) the amount of wheat stored under section 379c(b) or to avoid or postpone a marketing quota penalty, which is released from storage during the marketing year on account of underplanting or underproduction, and if this limitation operates to reduce the amount of wheat marketing certificates which would otherwise be issued with respect to the farm, such reduction shall be made first from the amount of export certificates which would otherwise be issued. The Secretary shall provide for the sharing of wheat marketing certificates among producers on the farm on the basis of their respective shares in the wheat crop produced on the farm, or the proceeds therefrom. The Secretary shall, in accordance with such regulation as he may prescribe, provide for the issuance of domestic marketing certificates for the portion of the wheat marketing allocation representing wheat used for food products for consumption in the United States and for the issuance of export marketing certificates for the portion of the wheat marketing allocation used for exports. [An acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year.] *An acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect.*



89TH CONGRESS
2D SESSION

H. R. 15151

[Report No. 1549]

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 1966

Mr. JONES of Missouri introduced the following bill; which was referred to the
Committee on Agriculture

MAY 24, 1966

Reported with amendments; considered, amended, and passed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To permit the planting of soybeans in lieu of cotton in certain
disaster areas in 1966.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 ~~That section 103(d) of the Agricultural Act of 1949, as~~
4 ~~amended, is amended by adding before the period at the end~~
5 ~~of paragraph (3) thereof the following: “: Provided, That~~
6 ~~for the 1966 crop any such acreage in areas designated by~~
7 ~~the Secretary as disaster areas may be devoted to soybeans.”~~
8 *That section 103(d) of the Agricultural Act of 1949, as*
9 *amended, is amended by striking out of the last sentence in*
10 *paragraph (3) thereof the words “income producing crop*

1 *in such year.” and inserting “crop for which there are mar-*
2 *keting quotas or voluntary adjustment programs in effect.”*

3 *SEC. 2. Section 105(e) of the Agricultural Act of 1949,*
4 *as amended, is amended by striking out the sentence “an*
5 *acreage on the farm which the Secretary finds was not planted*
6 *to feed grains because of drought, flood, or other natural*
7 *disaster shall be deemed to be an actual acreage of feed*
8 *grains planted for harvest for purposes of such payments*
9 *provided such acreage is not subsequently planted to any*
10 *other income-producing crop during such year.” and insert-*
11 *ing in lieu thereof the sentence “an acreage on the farm*
12 *which the Secretary finds was not planted to feed grains*
13 *because of drought, flood, or other natural disaster shall*
14 *be deemed to be an actual acreage of feed grains planted*
15 *for harvest for purposes of such payments provided such*
16 *acreage is not subsequently planted to any other crop for*
17 *which there are marketing quotas or voluntary adjustment*
18 *programs in effect.”*

19 *SEC. 3. Section 379c(a) of the Agricultural Adjust-*
20 *ment Act of 1938, as amended, is amended by striking out the*
21 *sentence reading “an acreage on the farm not planted to*
22 *wheat because of drought, flood, or other natural disaster*
23 *shall be deemed to be an actual acreage of wheat planted for*
24 *harvest for purposes of this subsection provided such acreage*
25 *is not subsequently planted to any other income-producing*

1 *crops during such year.” and inserting in lieu thereof the sen-*
2 *tence “an acreage on the farm not planted to wheat because of*
3 *drought, flood, or other natural disaster shall be deemed to*
4 *be an actual acreage of wheat planted for harvest for pur-*
5 *poses of this subsection provided such acreage is not subse-*
6 *quently planted to any crop for which there are marketing*
7 *quotas or voluntary adjustment programs in effect.”*

Amend the title so as to read: “A bill to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.”

89TH CONGRESS
2^D Session

H. R. 15151

[Report No. 1549]

A BILL

To permit the planting of soybeans in lieu of
cotton in certain disaster areas in 1966.

By Mr. JONES of Missouri

MAY 18, 1966

Referred to the Committee on Agriculture

MAY 24, 1966

Reported with amendments; considered, amended, and
passed

MAY 23, 1966.

The Honorable the SPEAKER,
House of Representatives.

Sir: Pursuant to authority granted on May 23, 1966, The Clerk received from the Secretary of the Senate today the following message:

"That the Senate agree to the amendment of the House of Representatives to the bill (S. 3233) entitled 'An Act to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.'"

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

SIGNING OF ENROLLED BILLS

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Monday, May 23, 1966, he did on that day sign the following enrolled bill of the Senate:

S. 3233. An act to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 23, 1966.

The Honorable JOHN W. McCORMACK,
Speaker, U.S. House of Representatives,
H 206, The Capitol

DEAR MR. SPEAKER: I hereby tender my resignation from the House Administration Committee, to become effective Tuesday, May 24, 1966.

With kind personal regards, I am
Sincerely yours,

JOHN N. ERLNBORN.

The SPEAKER. Without objection, the resignation will be accepted.
There was no objection.

ELECTION OF MEMBERS OF STANDING COMMITTEES

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution (H. Res. 863) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 863

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Education and Labor: JOHN N. ERLNBORN, of Illinois.
Committee on Government Operations: JACK EDWARDS, of Alabama.
Committee on House Administration: BARBER B. CONABLE, JR., of New York.
Committee on Public Works: JOE SKUBITZ, of Kansas.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUBCOMMITTEE NO. 6 OF THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that Subcommittee No. 6, the Select Committee on Small Business, be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?
There was no objection.

CORRECTION OF THE RECORD

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to have the CONGRESSIONAL RECORD of March 22 corrected so that the permanent RECORD of that date would show the following: Page 6255, line 22, column 1, left hand side of page, strike out the title "Millennium Pageant," and insert a new title which should read: "A Salute to Poland on Her Millennium Program Held in Miami, Florida, on March 13, 1966, Sponsored by the Florida Division of the Polish American Congress, Mrs. Maria Dambski, President."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDING THE FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 693) to amend the Foreign Agents Registration Act of 1938, as amended, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York?

The Chair hears none, and appoints the following conferees: Messrs. CELLER, TUCK, KASTENMEIER, POFF and HUTCHINSON.

SUBCOMMITTEE ON PRINTING OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Printing of the Committee on House Administration may be permitted to sit during general debate today, May 24, 1966.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TO PERMIT THE PLANTING OF SOYBEANS IN LIEU OF COTTON IN CERTAIN DISASTER AREAS IN 1966

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15151) to permit the planting of soy-

beans in lieu of cotton in certain disaster areas in 1966.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by adding before the period at the end of paragraph (3) thereof the following: "": *Provided*, That for the 1966 crop any such acreage in areas designated by the Secretary as disaster areas may be devoted to soybeans."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words 'income producing crop in such year.' and inserting 'crop for which there are marketing quotas or voluntary adjustment programs in effect.'"

"SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence 'an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year.' and inserting in lieu thereof the sentence 'an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect.'"

"SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the sentence reading 'an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year.' and inserting in lieu thereof the sentence 'an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect.'"

The committee amendment was agreed to.

Mr. JONES of Missouri. Mr. Speaker, H.R. 15151 is in the nature of emergency legislation, in that it would provide equitable treatment to all types of farmers who at this particular time are suffering from excessive rainfall, which has reached flood proportions in several States, including Missouri, Arkansas, Tennessee, Kentucky, Mississippi, Louisiana, and Texas. In some areas of

each of the above States, farmers have been unable to plant cotton, due to this natural disaster.

Hearings on H.R. 15151 were held by the House Committee on Agriculture last Friday, at which time general agreement was reached that legislation was necessary if all farmers were to be treated on the same basis. While the original bill provided relief for 1 year only—namely, 1966—the committee, in its judgment decided that the bill should be more general in application, and the bill was so amended.

Stated very briefly, and quoting from the committee report which will appear in these proceedings:

The purpose of the bill is to give farmers who are prevented from planting wheat, feed grains, or cotton, by flood or other natural disaster the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such a disaster after planting.

Mr. Speaker, time is of the essence in getting this bill passed, and unless it is passed by both bodies of Congress and signed by the President prior to June 1, our farmers will be denied the full advantage of this legislation, which in my opinion is both fair and equitable. Inasmuch as the bill with the amendment will be printed in the RECORD, along with the report from the committee, I will not take the time of the House, or contribute to any unnecessary delay by going into all of the details of the bill, which was reported unanimously by the House Committee on Agriculture, and which has been cleared with the leadership on both sides of the aisle, and I know of no opposition to the bill by any Member of the House.

Mr. GATHINGS. Mr. Speaker, I am wholeheartedly in favor of this most meritorious legislation.

Excessive rain and flood waters occurring at the critical planting season have jeopardized crop prospects for hundreds of farmers in the Mid-South cotton-growing region. Ordinarily cotton is planted prior to May 15 in this part of the belt. Every day's delay after the 15th of May could mean that the farmer's yield is reduced. While cotton can be planted up until June 1, such person who plants that late is taking quite a chance on growing a successful crop.

The legislation which was approved today by the House Committee on Agriculture would provide that farmers who could not plant their domestic allotment because of excessive rain or seep water or muddy fields could substitute soybeans for cotton and receive their price support payments as authorized in the Agricultural Act of 1965. Feed grain farmers have this same option to plant soybeans on permitted feed grain acreage, and quite a number of feed grain farmers have taken advantage of this opportunity, even though no disaster need to exist to permit such plantings. This legislation extends the same privilege to wheat farmers, feed grain farmers, and cotton farmers alike, permitting each such producer who has entered a respective program in that commodity, and is unable to plant his permitted acreage, to substitute any crop that is

not a control crop. The bill before the House is intended to prevent economic disaster and financial ruin to cotton farmers residing in the excessive rain and flood areas of the belt. I trust that the House will approve this most beneficial legislation.

Mr. ABERNETHY. Mr. Speaker, farming is the most hazardous occupation in the world. The farmer's destiny is always in the hands of old man weather. And frequently, he is most unkind.

At this moment, Mr. Speaker, the rains are pouring down in the alluvial Mississippi Valley. Thousands of acres of the world's most productive lands are either flooding or soaking wet. This has been the situation for weeks. Cotton planting time arrived several weeks ago and now it is almost gone. For some farmers in the most upper regions of the valley planting time has already gone. For them there will be no cotton crop. They have suffered a serious disaster. And for those who may yet have a little time to plant, unless there is an immediate change in weather conditions, they, too, will be unable to plant and harvest a 1966 crop of cotton.

But the crop is not all they will lose, Mr. Speaker. They will, because of their inability to plant, lose the diversion payments that would normally be due them under the agreements which they signed with the Federal Government to participate in the current cotton program. This amounts to a very substantial sum.

Therefore, this bill has two purposes: First, to make these farmers eligible for the diversion payments even though they have been unable to plant the crop; and, second, to permit them to utilize their cotton allotment acres for other crops that can be planted later in the year and that require less time to reach maturity and harvest, such as soybeans. The legislation specifically prohibits these acreages from being planted to any other crop for which there is a Federal program, such as wheat, feed grain, tobacco, peanuts, rice, sugarcane, and sugarbeets. Cotton history will be preserved.

This is emergency legislation, Mr. Speaker. The bill was introduced last week and came out of our committee this morning by a unanimous vote. Several of us have joined with the gentleman from Missouri [Mr. JONES] in sponsoring the bill—the gentleman from Arkansas [Mr. GATHINGS], the gentleman from Kentucky [Mr. STUBBLEFIELD], the gentleman from Tennessee [Mr. EVERETT], the gentleman from Louisiana [Mr. PASSMAN], and myself.

The measure will benefit a rather substantial number of farmers from the district represented by our colleague, the gentleman from Missouri [Mr. JONES], and other districts down the Mississippi River on either side to Louisiana. Most of the loss is in the upper area of this region, and lessens down the river, with considerably less on the lower end.

This measure has merit. It is needed now. We express thanks to our colleagues on the Agriculture Committee for their wonderful cooperation in allowing us to hastily get the legislation to the House floor. And we urge all of our colleagues to help us put this through the House today.

GENERAL LEAVE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD, and that other Members also may extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster."

A motion to reconsider was laid on the table.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight, June 2, 1966, to file a report to accompany the bill H.R. 15202.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 108]

Andrews,	Fraser	Murray
Glenn	Friedel	Nix
Andrews,	Giaino	O'Konski
N. Dak.	Green, Oreg.	Powell
Baring	Griffiths	Purcell
Brown, Calif.	Hall	Rees
Buchanan	Halleck	Reid, Ill.
Callaway	Hamilton	Rooney, N.Y.
Carter	Hanna	St. Onge
Clancy	Hansen, Idaho	Smith, N.Y.
Clark	Hansen, Iowa	Staggers
Clawson, Del.	Hardy	Stratton
Clevenger	Hébert	Stubblefield
Cohelan	Henderson	Teague, Tex.
Colmer	Johnson, Pa.	Thompson, N.J.
Conyers	McMillan	Toll
Cooley	Macdonald	Tupper
Corman	MacGregor	Watts
Diggs	Martin, Ala.	White, Idaho
Dowdy	Martin, Mass.	Whitten
Duncan, Oreg.	Miller	Williams
Dyal	Moeller	Willis
Farnsley	Moorhead	Wilson,
Ford,	Morton	Charles H.
William D.	Moss	

The SPEAKER. On this rollcall 362 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

Mr. LENNON submitted the following conference report and statement on the bill (S. 944) to provide for expanded re-



DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
(NOT TO BE QUOTED OR CITED)

Issued May 27, 1966
For actions of May 26, 1966
89th-2nd; No. 87

CONTENTS

Administration.....6	Flag.....25	Personnel.....8,30
Cherries.....21	Food.....4	Recreation.....10,29
Cost of living.....17	Freight cars.....32	Research.....2,26,28
Credit.....23	Housing.....19	Research station.....26
Dairy industry.....3,11	Labeling.....7	Retirement.....30
Disaster relief.....9	Labor standards.....1	School milk.....12
Drugs.....24	Marketing.....7	Senate schedule.....15
Education.....22	Organization.....27	Soil conservation.....16
Electrification.....18	Packaging.....7	Veterans' benefits.....22
Farm labor.....1	Patents.....14	Watersheds.....31
Farm loans.....5	Pay.....8	
Farm program.....13	Peace Corps.....20	

HIGHLIGHTS: House passed labor standards bill. pp. 11046-94

HOUSE

1. LABOR STANDARDS. Passed, 303-93, with amendments H. R. 13712, to liberalize and expand the coverage of the Fair Labor Standards Act. A recommittal motion designed to strike out all agricultural sections from the bill and regarding food processing in certain industries in regard to overtime during peak seasons on highly perishable products was rejected, 168-231. Agreed to amendments to protect young people's part-time agricultural employment opportunities and allow certain wages to be set under the Sugar Act. pp. 11046-94

2. RESEARCH. Agreed to the conference report on S. 944, the oceanographic research bill. pp. 11042-6
3. DAIRY INDUSTRY. Rep. O'Konski said the number of dairy producers is becoming smaller and gave his reasons for this development. pp. 11099-102
4. FOOD FOR FREEDOM. Rep. Harvey, Ind., inserted an article, "U. S. Food and Freedom Policies Argued--Military View Given Priority." p. 11099
5. FARM LOANS. Received a report of GAO on a review of efforts to have borrowers refinance their Farmers Home Administration loans when private or cooperate credit becomes available; to Government Operations Committee. p. 11123
6. ADMINISTRATION. Received from GAO a compilation of recommendations for improving Government operations (H. Doc. 446). p. 11123

SENATE

7. MARKETING. The Commerce Committee reported with amendment, during adjournment on May 25, S. 985, the proposed Fair Packaging and Labeling Act of 1966 (S. Rept. 1186). p. 11001
Sen. Cotton submitted an amendment which would strike from this bill the subsections giving "officials downtown the power to ultimately determine the sizes and weights in which commodities shall be packaged." p. 11008
8. PERSONNEL; PAY. The Post Office and Civil Service Committee reported with an amendment H. R. 14122, the Federal pay bill (S. Rept. 1187). p. 11003
9. DISASTER RELIEF. H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of natural disaster, was placed on the calendar with the understanding that it will not be considered until next week. pp. 11001-3
10. RECREATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 10451, authorizing transfer of certain Colo. lands from the Interior Department to the Agriculture Department for recreation development. p. D463
11. DAIRY IMPORTS. Sen. Hartke was added as a cosponsor to S. 3273, the proposed Dairy Import Act of 1966. p. 11008
12. SCHOOL MILK. Sen. Proxmire inserted excerpts from testimony setting out the "difficulties the administration's proposed 80-percent cutback in the special milk program for schoolchildren would impose on...Massachusetts." p. 11009
13. FARM PROGRAM. Sen. Metcalf commended and inserted an article, "McGovern Takes Farm Leadership Role." pp. 11016-7
Sen. Scott commended and inserted an article, "Agriculture and Economic Growth," describing the role of the private, as well as the government, sector in insuring agricultural development. pp. 11030-2
14. PATENTS. Sen. Long, La., urged defeat of S. 1809, to establish a uniform national policy concerning property rights in inventions made through the expenditure of public funds. pp. 11040-41



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Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

Vol. 112

WASHINGTON, THURSDAY, MAY 26, 1966

No. 87

Senate

The Senate met at 12 o'clock meridian, and was called to order by Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

For the beauty of the earth,
For the glory of the skies,
For the love which from our birth
Over and around us lies;

For the joy of ear and eye;
For the heart and mind's delight;
For the mystic harmony
Linking sense to sound and sight.

For the joy of human love,
Brother, sister, parent, child,
Friends on earth, and friends above;
For all gentle thoughts and mild.

For thyself, best gift divine!
To our race so freely given;
For that great, great love of thine,
Peace on earth, and joy in heaven:

God of all, to Thee we raise
This our prayer of grateful praise.

Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE
Washington, D.C., May 26, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BYRD of Virginia thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. STENNIS, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 25, 1966, was dispensed with.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of May 25, 1966,

Mr. MAGNUSON, from the Committee on Commerce, reported favorably, with an amendment, on May 25, 1966, the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, and submitted a report (No. 1186) thereon, which was printed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2471) to improve and clarify certain laws of the Coast Guard.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes.

The message further announced that the House had passed a bill (H.R. 15151) to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966, in which it requested the concurrence of the Senate.

PLANTING OF ALTERNATE CROPS ON ACREAGE WHICH IS UNPLANTED BECAUSE OF NATURAL DISASTER

Mr. ELLENDER. Mr. President, there is at the desk H.R. 15151. I requested that that bill remain at the desk so that

we may be able to take it up this morning.

I have consulted with the majority leader and the minority leader and those who are interested in the bill. There was no objection to taking it up today.

However, I have learned in the last few minutes that there is objection. There will be objection urged by the Senator from Delaware [Mr. WILLIAMS].

A Senate bill similar to this bill—H.R. 15151, which has been enacted by the House of Representatives—is before the Committee on Agriculture and Forestry.

I have consulted many members of the committee, and there is no objection to it.

My purpose this morning is simply to ask unanimous consent that this bill be considered, and since there will be objection, I ask unanimous consent that the first and second reading be dispensed with and that the bill be placed on the calendar so that we might be able to take it up tomorrow.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I would object to its being taken up that quickly. If it is desired to put the matter on the Senate Calendar, to be taken up after the Memorial Day recess, I have no objection.

I wish to point out one matter. This bill was introduced in the House of Representatives on Tuesday of this week and passed the same day it was introduced. It never appeared on the calendar of the House of Representatives. It never appeared on the calendar of the Senate. Now it is being asked that the bill be passed without going to the Senate committee.

I think that the least we can do is to put it on the calendar and let it go over for a couple of days so that those who are interested can understand what is being done and those who have objection may have an opportunity to examine the bill.

If the bill is going to be put on the Senate Calendar with the understanding that there will not be any effort to bring it up for consideration until next week,

I have no objection to the unanimous-consent request. Otherwise, I do object.

Mr. ELLENDER. Mr. President, we have no recourse, I assume. We consent to that reluctantly.

Mr. President, I renew my unanimous-consent request.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I understand that the request now is that it go direct to the Senate Calendar with the understanding it will not be motioned up until next week.

Mr. ELLENDER. The Senator is correct.

Mr. WILLIAMS of Delaware. No objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The bill will be considered as having been read twice and placed on the calendar.

Mr. ELLENDER. Mr. President, I ask unanimous consent that a copy of the bill, H.R. 15151, as passed by the House of Representatives, excerpts from the House Report No. 1549, and a copy of S. 3382 concerning the same matter and introduced in the Senate on May 19, 1966, by Senator EASTLAND for himself and Senators BASS, SYMINGTON, LONG of Missouri, COOPER, and McCLELLAN be made part of my remarks, as well as a letter from the Secretary of Agriculture with an enclosure.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 15151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words "Income producing crop in such year." and inserting "crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year." and inserting in lieu thereof the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the sentence reading "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year." and inserting in lieu thereof the sentence "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes

of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect."

Amend the title so as to read: "A bill to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster."

EXCERPTS FROM REPORT

PURPOSE

The purpose of this bill is to give farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disaster the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such a disaster after planting.

NEED FOR THE LEGISLATION

Under the provisions of the Food and Agriculture Act of 1965, farmers who have signed up to participate in the wheat, feed grain, or cotton program and have planted their permitted acreage only to have it destroyed by flood, drought, or other natural disaster, are eligible to receive the land-diversion and price support payments they would have received had the crop not been destroyed. At the same time, they are permitted to use the land for any other nonregulated crop.

Apparently by inadvertence, this same privilege of planting alternative crops was not extended to those farmers participating in the wheat, feed grain, or cotton programs who were prevented by flood or other natural disaster from even planting their permitted acres.

This situation was brought to the attention of the committee as the result of the heavy and protracted rains in the south central part of the United States which have prevented some cotton farmers from planting. The bill will permit these farmers, if the Secretary finds that their failure to plant was due to a natural disaster, to have the same opportunity to plant an alternative crop that the law now permits for farmers who did plant their permitted crop and had it destroyed later.

COMMITTEE AMENDMENT

Hearings were held on similar bills by Mr. JONES of Missouri, Mr. GATHINGS, of Arkansas, Mr. ABERNETHY, of Mississippi, Mr. STUBBLEFIELD, of Kentucky, Mr. PASSMAN, of Louisiana, and Mr. EVERETT, of Tennessee. All these bills related only to cotton.

The committee has amended the bill introduced by Mr. JONES (H.R. 15151) so as to make the same principle apply to wheat and feed grains, as well as to cotton.

The bill as amended was unanimously reported.

COST

There should be no additional cost to the Government as the result of this legislation.

DEPARTMENTAL APPROVAL

Witnesses for the Department of Agriculture at the hearings stated that the Department recognizes the equity of the situation involved here and has no objection to the bill as amended.

S. 3382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by adding before the period at the end of paragraph (3) thereof the following: "Provided, That for the 1966 crop any such acreage in areas designated by the Secretary as disaster areas may be devoted to soybeans."

DEPARTMENT OF AGRICULTURE,

Washington, D.C., May 25, 1966.

Senator ELLENDER: We thought you might find the attached statement, dealing with the

provisions and effect of H.R. 15151, useful to you in connection with the Senate consideration of this measure.

Each day lost in final consideration of this bill will, as you know, work an additional hardship on affected farmers who already are faced with losses due to natural disasters.

ORVILLE L. FREEMAN,

Secretary.

One enclosure.

H.R. 15151

A bill to permit planting of alternate crops on acreage which is unplanted because of natural disaster

This bill would give farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disasters the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such disaster after planting.

This is emergency legislation which if not immediately passed will deny planting prospects for hundreds of farmers, particularly in the Mid-South cotton-growing area which already has experienced widespread flooding. It would provide equitable treatment to all types of farmers whose operations at this time are suffering from excessive rainfall which has reached flood proportions in several States, including Missouri, Arkansas, Kentucky, Mississippi, Louisiana, and Texas.

The two main objectives of this bill are:

(1) To make farmers eligible for price support and diversion payments even though they are unable to plant the crop and (2) to authorize them to utilize their permitted cotton, feed grain, and wheat allotment or base acres for other crops that can be planted later in the year and require less time to reach maturity and harvest. Soybeans are an example. The legislation specifically prohibits these acreages from being planted to any other crop for which there is in effect a production adjustment program—such as wheat, feed grains, tobacco, peanuts, rice, sugarcane, and sugar beets.

Both objectives of the bill are laudable. Additional payments to farmers which would be made under it, while not expected to be large in the aggregate, would be of significant benefit to recipients. Total costs of affected programs would not change from budgetary estimates as a result of the proposed legislation. Further, the proposal would provide farmers with additional income by virtue of the opportunity they would have to produce and market other crops on acreage which otherwise would be lost to production this crop year. While an estimate of additional crop acreages involved cannot be made with precision, the total for all such crops would be quite small in relation to national production. At the same time such acreages would be very important to the individuals involved.

Mr. ELLENDER. Mr. President, at present in order to qualify for price support payments on cotton or feed grains, or for wheat marketing certificates on wheat—

First, the commodity must be actually planted, or

Second, planting of the commodity must have been prevented by a natural disaster and the acreage which would have been planted to the commodity but for the disaster must not be "devoted to any other income-producing crop."

H.R. 15151, as amended and passed by the House today, would permit the producer to qualify for such payments and certificates in the case of such disaster as long as he did not produce any crop subject to marketing quotas or voluntary adjustment programs. This would permit him to plant soybeans and other

crops not subject to quotas or adjustment programs and still qualify for payments and certificates.

There is no doubt that there is an imperative need for quick passage of this bill. Farmers in a number of States including Missouri, Arkansas, Tennessee, Kentucky, Mississippi, Louisiana, and Texas have been prevented from planting their normal crops because of excessive rainfall which in some parts of the above States have reached flood proportions. In many cases it will be too late to plant the usual crop of cotton or feed grains but not too late to plant soybeans.

Furthermore, in those cases where farmers still have the opportunity to plant cotton it would be better insofar as the Government is concerned to plant soybeans instead. In my view it is unconscionable to require farmers to plant cotton when the carryover this year will be about 16.3 million bales and when the Government has \$2,275,433,000 invested in 15,437,000 bales of cotton. It would seem to me that every additional bale of cotton not produced this year would save the Government about \$105.

Senator BASS spoke to me about this bill sometime ago as did Senator EASTLAND and Senator COOPER. Senator SYMINGTON and Senator LONG of Missouri also spoke with me as did Senator McCLELLAN. All of us are agreed that it is emergency legislation that must be acted on promptly otherwise it will cost the Government money on the one hand and on the other hand farmers will be penalized because of their inability to plant a crop.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

ELECTION REFORM ACT OF 1966

A communication from the President of the United States, transmitting a draft of proposed legislation to revise the Federal election laws, and for other purposes (with an accompanying paper); to the Committee on Rules and Administration.

REPORT ON DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on defense procurement from small and other business firms, for the period July 1965-March 1966 (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of development of certain scientific instruments for the Surveyor project, National Aeronautics and Space Administration, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on opportunities for reducing the number of vehicles maintained in fleet, Soil Conservation Service, Department of Agriculture, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on planning for and utilization

of automatic data processing equipment, Ames Research Center, Moffett Field, Calif., National Aeronautics and Space Administration, dated May 1966 (with an accompanying report); to the Committee on Government Operations.

PETITIONS

The ACTING PRESIDENT pro tempore laid before the Senate two resolutions adopted by the board of directors of the National Guard Association of California at their meeting in Fresno, Calif., on March 12, 1966, relating to insurance of combat capability of all National Guard units, and a more equitable promotion system.

FEDERAL SALARY AND FRINGE BENEFITS ACT OF 1966—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1187)

Mr. MONRONEY. Mr. President, from the Committee on Post Office and Civil Service, I report favorably, with an amendment, the bill (H.R. 14122) to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report may be printed, together with the individual views of the Senator from Indiana [Mr. HARTKE].

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oklahoma.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,
The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

John W. Tuthill, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Brazil;

Jacob D. Beam, of New Jersey, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Czechoslovak Socialist Republic;

Eugene M. Locke, of Texas, to be Ambassador Extraordinary and Plenipotentiary to Pakistan; and

Elliott P. Skinner, of New York, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Upper Volta.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 3415. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. SPARKMAN:

S. 3416. A bill for the relief of Aaron Bailey; to the Committee on the Judiciary.

By Mr. DODD:

S. 3417. A bill to amend section 101 of the Housing and Urban Development Act of 1965 to permit occupants of public housing to qualify for tenancy in housing assisted under the rent supplement program; to the Committee on Banking and Currency.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 3418. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL (for himself, Mr. SPARKMAN, Mr. GORE, and Mr. BASS):

S. 3419. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, to increase the limitation on the authority to issue bonds to finance its power program; to the Committee on Public Works.

(See the remarks of Mr. HILL when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself and Mr. PROXMIER):

S. 3420. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. STENNIS, and by unanimous consent, the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary and the Subcommittee on Executive Reorganization of the Committee on Government Operations were authorized to meet during the session of the Senate today.

CORRECTION OF THE RECORD

Mr. CANNON. Mr. President, last Thursday, May 19, I made a statement concerning the Government's recovery of \$624,158 from Hanna Nickel Smelting Co. and the Hanna Mining Co.

In order to make clear the findings of the court—that is that the recovery from Hanna Nickel Smelting Co. was based on the breach of contract while the recovery from the parent company, the Hanna Mining Co., was based on reformation of contract, I ask that the first paragraph of my statement appearing on page 10520 of the CONGRESSIONAL RECORD of May 19 be revised to read as follows:

On April 27th last, in the United States District Court, Portland, Oregon, Judge Gus J. Solomon entered judgment for the Government after finding that the Hanna Nickel Smelting Company, wholly owned by The Hanna Mining Company, had breached its nickel stockpiling contract and overcharged the Government. The Court awarded the Government \$560,663 in addition to \$63,525 which Hanna previously paid to satisfy one count of the complaint.

The ACTING PRESIDENT pro tempore. The correction will be made.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. STENNIS, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AMENDMENT OF SECTION 101 OF HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill to amend the Housing and Urban Development Act of 1965.

This act, certainly one of the most meaningful passed in the 1st session of the 89th Congress, can do much to alleviate the pressing problem of decent housing for the economically disadvantaged who are not already in public housing.

Public housing has not kept up with the existing need.

Now that Congress has appropriated the initial funds for the rent supplement program, perhaps the gap between the need for decent housing and the financial capacity of the poor to afford it can be narrowed.

The only families eligible for rent supplement assistance under the 1965 Act at the present time are the elderly, the handicapped, those displaced by renewal projects or natural disaster, and those living in substandard housing.

In addition, their incomes must be low enough that they are eligible for public housing.

The act neglects, and I think regrettably so, those already in public housing who want to better themselves but are unable to afford housing on the private market.

Ambition and initiative are penalized because the law expels from public housing anyone who makes more than a subsistence income.

Faced with the prospect of losing their public housing if they improve their living standard, yet knowing they will be unable to afford decent living space elsewhere, many of the occupants of public housing give up on self and family improvement in order to be able to keep a decent roof over their heads.

The Housing and Urban Development Act of 1965 makes no provision for families now in public housing to qualify for tenancy in housing assisted under the rent supplement program. Unless their wages improve substantially, families are unable to afford rents in the private market and they end up forever trapped in a public housing project.

The legislation I am introducing today would remove this dead end. It would simply add to the list of those eligible for rent supplements persons who though still technically eligible to remain in the public housing they now occupy, want to move to rent supplement housing due to a modest increase in income.

A true ladder of housing opportunity would be created. A family could receive maximum subsidy and concentrated social services in public housing projects.

As their lot improved, but not substantially enough to disqualify them from

public housing, they could shed the economic and psychological trap of public housing and move up to scattered, less heavily subsidized homes as a step toward eventual purchase.

I feel, Mr. President, that if the Government is ever going to get out of the housing business that those desiring to better their housing conditions must be encouraged as much as possible.

I believe my bill would do much in this regard by putting another rung on the ladder of housing opportunity.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3417) to amend section 101 of the Housing and Urban Development Act of 1965 to permit occupants of public housing to qualify for tenancy in housing assisted under the rent supplement program, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on Banking and Currency.

PEACE CORPS ACT AMENDMENTS

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Peace Corps Act, as amended, and for other purposes.

The proposed legislation has been requested by the Director of the Peace Corps, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as will as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter from the Director of the Peace Corps dated May 23, 1966, to the Vice President in regard to it, and the section-by-section analysis of the proposed bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, letter, and section-by-section analysis will be printed in the RECORD.

The bill (S. 3418) to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended as follows:

(a) Strike out "1966" and "\$115,000,000" and insert in lieu thereof "1967" and "\$112,150,000", respectively.

(b) Strike out ", of which not to exceed \$300,000 shall be available for carrying out research" and insert in lieu thereof ": Provided, however, That not to exceed \$950,000 of funds made available hereunder for fiscal year 1967 shall be obligated under contracts or agreements to carry out research: Pro-

vided further, That no such contracts or agreements shall be executed unless the research in question relates to the basic responsibilities of the Peace Corps.

(c) Add a second sentence as follows: "Unobligated balances of funds made available hereunder are hereby authorized to be continued available for the general purposes for which appropriated and may at any time be consolidated with appropriations hereunder."

SEC. 2. Section 5 of the Peace Corps Act, as amended, which relates to Peace Corps volunteers, is amended to add immediately after the end thereof a new subsection as follows:

"(1) Notwithstanding any other provision of law, counsel may be employed and counsel fees, court costs, bail, and other expenses incident to the defense of volunteers may be paid in foreign judicial or administrative proceedings to which volunteers have been made parties."

SEC. 3. Section 13(a) of the Peace Corps Act, as amended, which relates to the employment of experts and consultants, is amended by striking out "\$75" and substituting therefor "\$100".

SEC. 4. Section 15 of the Peace Corps Act, as amended, which relates to utilization of funds, is amended as follows:

(a) In subsection (c), strike out "7(c) (2)" and substitute therefor "7(a) (2)".

(b) In subsection (d) (4), strike out "7(e)" and substitute therefor "7(c)".

SEC. 5. Section 25(b) of the Peace Corps Act, as amended, which defines the term "United States" for the purposes of that Act, is amended by striking out "and territories".

SEC. 6. (a) Section 16 of the Peace Corps Act, as amended, which relates to appointment of persons serving under prior law, section 20 of the Peace Corps Act, as amended, which relates to moratorium on student loans, section 21 of the Peace Corps Act, as amended, which amends the Civil Service Retirement Act, and Title II of the Act, which relates to Internal Revenue Code and Social Security Act amendments, are hereby repealed.

(b) Such repeal shall not be deemed to affect amendments contained in such provisions and the application of the amendments contained in the title. All determinations, authorizations, regulations, orders, contracts, agreements, and other actions issued, undertaken, or entered into under authority of the provisions of law repealed by subsection (a) shall continue in full force and effect until modified by appropriate authority.

SEC. 7. (a) The Peace Corps Act, as amended, is amended to add immediately after title I thereof a new title as follows:

"TITLE II—SCHOOL-TO-SCHOOL PARTNERSHIPS AND EXCHANGE PEACE CORPS

Declaration of purpose

"SEC. 201. The Congress declares that it is the policy of the United States and a further purpose of this Act to promote world peace and friendship through School-to-School Partnerships under which United States schools and organizations shall help schools and organizations of interested countries and areas to meet their educational and other community needs, and through an Exchange Peace Corps, which shall make available to United States schools and organizations men and women of interested countries and areas, qualified for service in the United States, to help those schools and organizations in meeting their needs for trained manpower, to provide those men and women with experience that on their return will be valuable to their countries or areas, and to help promote a better understanding of their peoples on the part of the American people and a better understanding of the American people on the part of other peoples.

Exchange Peace Corps volunteers

"SEC. 202. Such provisions of this or any other Act relating to volunteers, volunteer leaders or applicants for enrollment as the

Calendar No. 1152

89TH CONGRESS
2^D SESSION

H. R. 15151

IN THE SENATE OF THE UNITED STATES

MAY 26, 1966

Received; read twice and ordered to be placed on the calendar

AN ACT

To permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 103 (d) of the Agricultural Act of 1949, as
4 amended, is amended by striking out of the last sentence in
5 paragraph (3) thereof the words "income producing crop
6 in such year." and inserting "crop for which there are mar-
7 keting quotas or voluntary adjustment programs in effect."

8 SEC. 2. Section 105 (e) of the Agricultural Act of 1949,
9 as amended, is amended by striking out the sentence "an
10 acreage on the farm which the Secretary finds was not planted
11 to feed grains because of drought, flood, or other natural

1 disaster shall be deemed to be an actual acreage of feed
2 grains planted for harvest for purposes of such payments
3 provided such acreage is not subsequently planted to any
4 other income-producing crop during such year.” and insert-
5 ing in lieu thereof the sentence “an acreage on the farm
6 which the Secretary finds was not planted to feed grains
7 because of drought, flood, or other natural disaster shall be
8 deemed to be an actual acreage of feed grains planted for
9 harvest for purposes of such payments provided such acreage
10 is not subsequently planted to any other crop for which there
11 are marketing quotas or voluntary adjustment programs in
12 effect.”

13 SEC. 3. Section 379c (a) of the Agricultural Adjustment
14 Act of 1938, as amended, is amended by striking out the
15 sentence reading “an acreage on the farm not planted to
16 wheat because of drought, flood, or other natural disaster
17 shall be deemed to be an actual acreage of wheat planted for
18 harvest for purposes of this subsection provided such acreage
19 is not subsequently planted to any other income-producing
20 crops during such year.” and inserting in lieu thereof the
21 sentence “an acreage on the farm not planted to wheat be-
22 cause of drought, flood, or other natural disaster shall be
23 deemed to be an actual acreage of wheat planted for harvest

- 1 for purposes of this subsection provided such acreage is not
- 2 subsequently planted to any crop for which there are mar-
- 3 keting quotas or voluntary adjustment programs in effect."

Passed the House of Representatives May 24, 1966.

Attest:

RALPH R. ROBERTS,

Clerk.

RECEIVED
H. R. 12121
MAY 24 1966
U.S. HOUSE OF REPRESENTATIVES
CLERK'S OFFICE

AN ACT

To permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

MAY 26, 1966

Received; read twice and ordered to be placed on the calendar

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued June 2, 1966
For actions of June 1, 1966
89th 2nd; No. 90

CONTENTS

Animal research.....23,30	Information.....29	Price statistics.....15
Appropriations.....41	International	Recreation.....17,42
ASCS.....20	organizations.....8	Reports.....37
Dairy.....3,21,31	Labeling.....2	Research.....18,23,30
Disaster relief.....1	Labor standards.....25	Rural development.....16
Disaster warning.....11	Livestock.....39	School milk.....13
Electrification.....24	Loans.....35	Soil conservation...14,28
Employment.....7	Meat grading.....10	Tariff.....40
Farm program.....20	Military training.....33	Taxation.....36
Fees.....38	Milk.....13,21	Transportation.....6
Fish products.....9	Minimum wage.....25	Tree farming.....32
Flag.....5	Natural resources.....26	Veterans' affairs.....22
Flood control.....38	Oyster planters.....35	Water pollution.....27
Forest Service.....41	Packaging.....2	Water resources.....4
Household effects.....40	Personnel.....7,34	
Inflation.....12	Poverty.....19	

HIGHLIGHTS: Senate passed bill to permit alternate crops on acreage unplanted because of natural disaster. Senate debated fair packaging-labeling bill. House committee reported bill to make various amendments to Economic Opportunity Act.

SENATE

1. DISASTER RELIEF. Passed, 56-10, with amendments H. R. 15151, to permit the planting of alternate crops on acreage unplanted because of natural disaster. Agreed, 42-27, to an amendment by Sen. Williams, Del., to provide that payments made pursuant to the act shall not exceed \$10,000 to any producer. Rejected a motion by Sen. Miller to refer the bill back to committee, an amendment by Sen. Williams, Del., to limit the bill to 1 year, an amendment by Sen. Miller to give one-half the payments which would otherwise be received to farmers who could not plant their crops, etc., and an amendment by Sen. Williams, Del., to limit the bill to the 1966 and 1967 crops. Senate conferees were appointed.

pp. 11413-33

2. PACKAGING; LABELING. Continued debate on S. 985, the fair packaging and labeling bill. pp. 11420, 11430-1, 11433-5
3. DAIRY IMPORTS. Sen. Pearson was added as a cosponsor of S. 3273, the dairy imports bill. p. 11363
4. WATER RESOURCES. Sens. Church and Nelson were added as cosponsors of S. 3107, to provide for a comprehensive review of water resource problems and programs. p. 11363
Sen. Tydings inserted an article recommending research on water-pollution control on the estuaries as well as large rivers. pp. 11397-8
Senate conferees were appointed on S. 254, to authorize the Interior Department to construct, operate, and maintain the Tualatin reclamation project, Oreg. House conferees have not yet been appointed. pp. 11435-6
The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 3107, to provide for a comprehensive review of water resource problems and programs. p. D474
5. FLAG. Passed without amendment H. J. Res. 763, requesting the President to proclaim the week in which June 14 occurs as National Flag Week. This joint resolution will now be sent to the President. p. 11363
6. TRANSPORTATION. Sen. Lausche recommended against any increase in toll rates on the St. Lawrence Seaway. pp. 11371-2
7. PERSONNEL. Sen. Williams, Del., claimed Federal employment increased after the President said he would reduce it. pp. 11372-3
Sen. Long, La., defended the level of Federal employment. pp. 11466-7
8. INTERNATIONAL ORGANIZATIONS. Sen. Javits inserted tables showing U. S. contributions to international organizations. pp. 11379-83
9. FISH PRODUCTS. Sen. Bartlett inserted Sen. Magnuson's speech recommending the use of fish proteins to alleviate the world food shortage. pp. 11394-6
10. MEAT GRADING. Sen. Long, Mo., commended the grading program as an aid to the housewife in buying meat. p. 11398
11. DISASTER WARNING. Sen. Pearson spoke in favor of a natural disaster warning system for storms, blizzards, etc. p. 11398
12. INFLATION. Sen. Symington inserted an article claiming the retired are hurt by inflation. pp. 11398-9
13. SCHOOL MILK. Sen. Proxmire claimed the administration's child-nutrition proposal would result in less milk consumption among needy children. p. 11399
14. SOIL CONSERVATION. Sen. Church inserted D. A. Williams' speech, "Conservation Challenges in a Changing World," before the First Pan American Soil Conservation Congress. pp. 11409-10

it has on this generation and they can predict with accuracy what members of the next will be entrapped.

I can think of no substitute for the experience and knowledge that VISTA volunteers gain through their year in service to America. If they had not known frustration, they have learned it. If they had not known despair, they have experienced it. And if they had not previously known the exhilaration of accomplishment, this too they have come to know and to treasure.

Regardless of the volunteers' age or previous experience, I believe that they will return to their communities with a new sense of purpose as citizens. I find myself envying the communities where they will live, because they will be more exciting places.

As VISTA volunteers, they have learned their civics well. They know what makes a community operate. They know that a power structure exists and that a power structure can be used to serve all citizens. They have learned, in essence, the art of practical service which cuts across political lines, for they have learned how to get things done.

It is almost 4 years now since a handful of us proposed that this country form a National Service Corps to render real and immediate aid to those trapped by the cycle of poverty. In its 18 months of operation, VISTA has proved that such an idea was not only feasible, but that it was extremely practical.

An increase in the gross national product from \$700 billion to \$715 billion means nothing to the man who cannot read, cannot find a job, and cannot support his family. The economy can soar to dizzying new heights, but he lives less well than he did last year and the year before. He is desperate and defeated. For him, hope is a long forgotten word.

It is into such homes as this that VISTA volunteers go, equipped with nothing except their compassion and their desire to help. There are ways such a man can be helped—providing somebody has the time and the motivation to do so. He can learn to read. He can, perhaps, be taught a new trade. He can use the existing facilities of the community and the State and the Federal Government to help spring open the poverty trap. He can do this if he has a guide—someone to show him the way. VISTA volunteers serve as guides. The full impact of their efforts will be reflected in years to come. I believe it would make a most interesting study.

To me, the volunteers in VISTA exemplify the best in the American tradition of voluntarism. They have chosen to spend a year of their lives in service to their country and to their fellow citizens, working at a community and neighborhood level on a personal basis with those in need. They share the discomforts and drabness of poverty; they experience its attendant heartbreak and frustration. They learn its touch and taste and sound.

They also learn to respect it as an enemy and to defeat it on its own grounds. When the war on poverty is won, I believe that VISTA volunteers will be able to claim their full share of vic-

tories. These may appear minor in the history books, but they will be major in the memories of those who received their help and encouragement.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

PROPOSED PLANTING OF ALTERNATE CROPS ON UNPLANTED ACREAGE

Mr. BASS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1152, H.R. 15151.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BASS. Mr. President, during the past few months many farmers in the south-central part of the United States have been subjected to severe weather conditions that have prevented them from planting their normal crops, particularly cotton. Extremely heavy rainfall has caused flooding in several States, including Arkansas, Missouri, Tennessee, Kentucky, Mississippi, Louisiana, and Texas. Longtime residents in some sections have described conditions as the worst within their recollection. Throughout the area rainfall has generally been at least twice as heavy as normal. In parts of southeast Missouri and west Tennessee the rain has been 230 percent greater than normal. In Vicksburg, Mississippi, the normal rainfall is 7.1 inches, and they have received 18.5 inches or 260 percent above normal rainfall over a 6-week span. Galveston, Tex., got 324 percent above normal rainfall. Several weather stations reported 10 to 12 inches of rain within 48 hours.

Mr. President, there is no doubt that many farmers face a grave emergency as a result of this natural disaster. They have done everything in their power to make a crop this year, but without favorable weather conditions there is little hope for success. Some farmers have been fortunate enough to plant their cotton, but a large number of them have simply been unable to get into the fields due to the heavy rainfall that has continued to plague their areas for an extended period of time. Earlier, these farmers had prepared their land for planting, purchased seed, fertilizer, and equipment, if necessary, and placed employees on stand-by alert. While they have gone through the necessary preparatory steps to planting, the rains have continued to fall.

After weeks of waiting and hoping for a break in the weather, several farmers obtained pumps and attempted

to transfer the water from the fields to drainage ditches. This effort has been unsuccessful because most drainage systems are saturated and, in many cases, overflowing throughout the disaster area.

The weather has been a devastating enemy of the cotton farmers in the Mid-south area thus far this year. And now they must also contend with another formidable foe—time. Normally cotton is planted prior to May 15 in the mid-south area. Delays beyond that date may reduce the yield considerably. If conditions prevent planting prior to June 1, the farmer faces difficult odds in making a crop. Since today is June 1, time has run out, and we are dealing with an emergency situation. Immediate assistance should receive the highest priority.

Under provisions of the Food and Agriculture Act of 1965, farmers who have signed up to participate in the wheat, feed grain, or cotton program and have planted their allotted acreage only to have it destroyed by flood, drought, or other natural disaster, are eligible to receive land-diversion and price support payments they would have received had the crop not been destroyed. They may also use the land to grow any other crop except those for which there is a production adjustment program.

I feel sure everyone concurs in the equity of these provisions in the Food and Agriculture Act of 1965. Undoubtedly, similarly fair treatment was inadvertently withheld from farmers participating in the wheat, feed grain, and cotton programs when they were prevented by flood or natural disaster from planting their crops. The current crisis affecting cotton farmers dramatically illustrates the need for corrective action. Unless legislation is enacted promptly to protect farmers enrolled in regulated crop programs from natural disaster, economic chaos of the highest order will be thrust on many farm families in several States.

The House Agriculture Committee has held hearings, which were necessarily brief due to the time factor, on proposals to grant relief from natural disasters that prevent the planting of designated crops. Department of Agriculture officials testified in support of the proposed emergency assistance. In addition, Secretary Freeman has emphasized the urgency of prompt action to minimize the losses farmers will suffer due to the natural disaster.

The House Agriculture Committee unanimously reported H.R. 15151 and the House passed it without undue delay. The bill gives farmers who are prevented from planting wheat, feed grains, or cotton by flood or other natural disasters the same opportunity to plant alternative crops that the law now accords farmers whose crops have been destroyed by such disaster after planting. Briefly, the two primary purposes of the bill are first, to make farmers eligible for price support payments even though they are unable to plant the crop; and second, to authorize them to utilize their permitted cotton, feed grain, and wheat allotment or base acres for other crops that can be planted later in the year and require less time to reach maturity. As an ex-

ample, soybeans may be a desirable substitute crop in some areas. The legislation specifically prohibits these acreages from being planted to any other crop for which there is in effect a production adjustment program such as wheat, feed grains, tobacco, peanuts, rice, sugarcane, and sugarbeets.

There should not be any additional cost to the Government as a result of this legislation. Due to a shortage of soybeans this year and an excess of cotton, this emergency proposal should result in lower costs to the Government. As Senator ELLENDER pointed out last week, every additional bale of cotton not produced this year may save the Government about \$105.

Payments made to farmers under these disaster provisions should only be a small portion of the total costs of the affected program; however, the benefits to the individuals involved will be extremely important. A precise estimate of the total acres affected by the current disaster is not available, but it will be quite small in relation to national production.

Mr. STENNIS. Mr. President, will the Senator yield to me at that point for a question?

Mr. BASS. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. First, I wish to commend the Senator from Tennessee for making a very fine statement in support of this bill. The statement is certainly timely, and in support of legislation that is urgently needed and necessary, in the opinion of the Senator from Mississippi.

I ask the Senator this question: Is it not true that the bill does not add any acreage to any allotment which any cotton farmer or other farmer might otherwise have under the operation of general law?

Mr. BASS. That is true.

Mr. STENNIS. There is no additional benefit that the farmer receives from it, and no additional price support or anything like that?

Mr. BASS. The Senator is accurately informed. The bill merely permits the producer to use the cotton land which the disaster prevented him from planting to cotton.

Mr. STENNIS. Is not the sole purpose for this legislation to try to meet a natural calamity? That is, it was calamitous so far as the cotton acreage or other acreage for this year was concerned when it was destroyed by a flood; and is not that the only purpose?

Mr. BASS. The Senator is certainly correct.

Mr. STENNIS. I certainly hope the Senator's argument prevails, and I commend him highly for his statement.

Mr. BASS. I thank the Senator from Mississippi.

Mr. SYMINGTON. Mr. President, will the Senator yield for a short statement?

Mr. BASS. I yield to the distinguished Senator from Missouri.

H.R. 15151 NEEDED TO MEET EMERGENCY

Mr. SYMINGTON. Mr. President, I join the distinguished Senator from Mississippi in commending the distinguished Senator from Tennessee for bringing this matter to the floor of the Senate.

Mr. President, cotton producers of Missouri have an immediate and pressing need for the passage of H.R. 15151. This bill will mean everything to those who have been unable to get their cotton planted because of heavy rains. It will not entail any additional cost to the Federal Government, or result in the production of any additional crops, now in surplus or expected to be in surplus.

In the last few weeks, flooding in the cotton counties of Missouri, as well as in other Lower Mississippi Valley cotton-producing States, has prevented the planting of many thousands of allotted cotton acres. In Missouri, some 30 percent of this land has not been planted.

The same heavy rainfall has also affected some 25 percent of our cotton acreage which was planted prior to those rains. Much of that cotton is not growing, and time is running out for replanting.

Under the Food and Agriculture Act of 1965, these farmers who had signed up to participate in the cotton program and had planted their permitted acreage, only to lose it by natural disaster, in this case flooding, will be eligible for the land diversion and price-support payments they would have received had the crop not been destroyed. They will also be permitted to use this planted but destroyed acreage for the production of any other nonregulated crop, such as soybeans.

By an apparent oversight, however, the man who prepared his land but did not get it planted does not have the right to plant such a nonregulated crop.

It is for those farmers with the 30 percent unplanted land that we ask approval of H.R. 15151 on an emergency basis. This legislation would give these producers the same right to plant alternate crops as already enjoyed by those who got their crops planted but then lost them.

This is an emergency situation. Time is running out. Soybeans, a crop now in short supply, is the logical nonregulated crop. In Missouri, it must be planted within the next few days.

This bill would also correct the oversight as far as feed grains and wheat are concerned; but it is cotton that presents the immediate emergency this year, and I urge the Senate pass this bill today, without amendment, and send it to the White House for signature.

Mr. President, I thank the able Senator from Tennessee, whose farmers in his State, for whom he has worked so long and so hard, are in the same position as the farmers of Missouri.

Mr. COOPER. Mr. President, I am very glad to join with the Senator from Tennessee who, as I understand, has returned to Washington to present H.R. 15151 to the Senate today. The bill affects Kentucky as well as Tennessee and parts of Arkansas, Missouri, and Mississippi. As a member of the Senate Committee on Agriculture, I was glad to join with the Senator in introducing the companion Senate bill S. 3382 to provide relief for these cotton farmers along the Mississippi River who have been hit by unusually heavy rains.

I would like to describe the situation which has been reported in Kentucky, and which supports the need for prompt action on this measure. It is true that Kentucky is not a large cotton-producing State. But cotton is important to the several hundred farmers in western Kentucky who have cotton allotments. In fact, there are about 25,000 acres of "delta" land in Fulton and Hickman Counties, part of it Mississippi River bottom land protected by Corps of Engineers levees, where cotton and some pecans are grown.

In Kentucky, the date to begin planting cotton is normally about April 20. This year, a few farmers in Fulton and Hickman Counties began to plant cotton on Monday morning, April 18—but by noon it was pouring rain. Since that time, the area had the heaviest rains of any April on record. These rains continued through May. The Mississippi River was up—reaching 44 feet on the Cairo gage—so that the bottom lands could not drain. Except for 2 or 3 days in which some cotton planted, the ground never dried out and remained too wet and soggy for planting.

This was the situation 2 weeks ago when Congressman STUBBLEFIELD, of Kentucky, and others introduced their bill in the House, and S. 3382, in which I joined, was introduced in the Senate. And, even on the Monday following introduction of these bills, this area of western Kentucky suffered another rain of 1½ to 3 inches.

It is now too late to plant cotton with any assurance of getting a crop.

In this situation, those farmers in Kentucky and the other States who planted cotton, but had the seed washed out of the ground by the torrential downpours, are planning instead to plant soybeans. But their neighbors—who have not been able to plant cotton, while protected in some respects by the disaster provision of the act we passed in 1965, are not now allowed to put in any other income-producing crop.

The bill before the Senate would correct this inequity. The House has amended the bill as originally introduced, so that it will apply equally to the feed grain and wheat programs—where farmers who have agreed to come under these voluntary programs are struck by a natural disaster, such as flood or drought.

I have been in touch with officials in Kentucky who have informed me that in many cases it has been impossible to plant those cotton allotments located along the river bottoms in Fulton and Hickman Counties. Some farmers got seed in the ground only to have it washed out. Others began to plant but did not finish. I understand that more than half the farmers who signed up for the cotton program have been affected by weather in one of these ways.

Under the natural disaster provision of the Food and Agriculture Act of 1965, those cotton farmers who signed up for the program, who intended to plant cotton but have been unable to do so during this emergency, will receive their cotton diversion payments and cotton price support payments. But in order to raise

and sell a crop of soybeans—as their neighbors are doing who planted cotton but had it washed out—under existing law they would have to go through the futile exercise of planting cotton, even though it is too late to be successful.

Mr. President, I have been glad to join in sponsoring a Senate bill to correct this situation. The House of Representatives has already acted, amending and in some ways extending the bill as originally introduced. I hope the Senate will now proceed to consider the bill—and will act today on any amendments which may be offered, and on the bill itself.

Prompt action on this bill will demonstrate that the Congress can act effectively when it is presented with an opportunity to help farmers who have been struck by a natural disaster. I would like to mention also that Mrs. John S. Bacon, Miss Frances Johnson, Mr. R. B. Goalder, and other friends in Hickman have always been good in keeping me informed as to the cotton problems there, and I was very glad to receive information from them and from the manager of the Fulton County farm office, Mr. George E. Holly, which has been helpful in this situation.

Mr. BASS. Mr. President, I appreciate the support and the statement of the Senators from Missouri and Kentucky. I point out also that the distinguished Senators from Missouri and Kentucky are cosponsors of S. 3382, introduced by Senator EASTLAND, for himself, and Senators SYMINGTON, LONG of Missouri, COOPER, McCLELLAN, and myself.

Although this bill was originally designed to alleviate the emergency conditions affecting cotton this year, it now appears desirable to extend these equitable provisions to include wheat and feed grains as well. H.R. 15151 contains the necessary provisions to insure fair treatment to farmers in regulated programs who are victims of natural disasters. I urge all my colleagues to join in promptly approving this vitally needed measure.

Mr. President, since the earliest days of our Nation, farmers have played an important role in the development and growth of our society. No group has worked harder or paid a greater price for success than the American farmer. On many occasions farmers have had to fight long and hard against the ravages of weather. For the most part, they have stood alone. Now we have a chance to help them through this vitally needed disaster assistance, and I take pride in being a part of this effort.

I hope that the bill will pass without objection at a very early date.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BASS. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. This bill is presented as an emergency or disaster measure for cotton. I understand that the hearings held in the House prior to the introduction of the bill all dealt with cotton.

However, is it not a fact that this is not a disaster bill as such, but is more or less permanent legislation designed to extend over the entire life of the farm program, some 4 years or more, and that in addition it amends the law as it relates not only to cotton but also to wheat, corn, and all other price-supported commodities? Is that not true?

Mr. BASS. The Senator is correct in his statement and in his assumption. As I explained, the original bill that I introduced, or had introduced for me in the Senate, would only have taken care of the emergency that now exists, as far as cotton is concerned. However, this disaster and this emergency actually pointed up a need for a change in the basic law to take care of disasters in the future not only for cotton but for feed grains and wheat as well.

Here is basically all that it does: It makes available to the American farmer who has not had an opportunity to plant his crop because of a disaster the same benefits that are now afforded those farmers who have already planted their crops and had them destroyed by a disaster. In other words, all it actually does is make the conditions the same as far as the time of the disaster is concerned, because whether it is before the seeds go in the ground or after the seeds have been placed in the ground, if a disaster destroys a crop or a potential crop, the farmer still suffers the same amount of injury as far as his income and ability to produce are concerned.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. BASS. I am happy to yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Of what income is the Senator speaking? Loss of payments of some kind?

Mr. BASS. No, only as to his ability to plant another crop on allotted acres for cotton, wheat, or feed grains: the same treatment as now accorded—as I am sure the distinguished Senator, who is an able member of the Agriculture Committee, realizes—to farmers who have a crop destroyed, after it is in the ground, because of a disaster.

Mr. WILLIAMS of Delaware. Mr. President, what confuses me somewhat is that this is being urged as an emergency piece of legislation on the basis that there is a disaster. In fact, it was introduced in the House of Representatives on Tuesday of last week and was passed by the House the same day that the bill was introduced. This bill has never been before any committee, either in the House or the Senate; it was stopped here at the Senate calendar and was brought directly to the floor of the Senate, again without any hearings. Yet it projects this disaster 4 years. I wonder if the Senator has not overlooked the fact that there is going to be an election in 1968 and that some of us are going to try to cure the disaster that happened in 1964.

Mr. BASS. Well, the bill was actually designed, disregarding any political implications, to take care of emergencies.

However, in many cases, emergencies and disasters point up the need for change, not only in the legislative forum but in many other phases of our lives, perhaps. This emergency merely caused us to scrutinize the fallacy in the present law, and attempt to pass legislation now that will prevent the necessity of a legislative emergency arising in the near future, to take care of a real need caused by a natural disaster.

Mr. WILLIAMS of Delaware. Since we have had no committee hearings perhaps we can develop here on the floor exactly what this bill does by questions. I think it would have been better, as I pointed out earlier, to have had committee hearings. I would like to ask a question.

What does the farmer get under existing law? We will assume, for example, that Farmer X has an allotment of cotton and that his average yield is two bales of cotton per acre, or 1,000 pounds per acre. Under existing law, what would he get?

My next question will be: What would he get under this bill, assuming that this farmer has an allotment of 100 acres of cotton, and his average yield has been two bales per acre, which he does not plant? He is cutting back 35 percent of his acres, we will assume, and plants 65 percent, or 65 acres. Assuming that this farmer plants his crop, and it is destroyed, what would he get?

Mr. BASS. Very well. I am reading from the copy of the House report.

As the Senator knows, from legislation passed last year, the national average loan rate for cotton is 21 cents per pound based on Middling 1-inch. In other words, the farmer now gets a loan rate of 21 cents per pound.

Mr. WILLIAMS of Delaware. That was not the question. I am assuming he plants his allotment but raises no cotton.

Is it not a fact that under existing law this farmer—

Mr. BASS. I would like to quote—

Mr. WILLIAMS of Delaware. The farmer would collect, if he has two bales of cotton per acre, about \$105 per acre, or let us say, about \$100 per acre, from the Federal Government in the event his crop fails. Under those assumptions, is that not correct?

Mr. BASS. I would like to quote from the chairman of the Committee on Agriculture.

Mr. WILLIAMS of Delaware. Well, the Senator handling the bill knows the answer, does he not?

Mr. BASS. The answer is that the Government will possibly save \$105 from every bale of cotton that is not planted and produced this year.

Mr. WILLIAMS of Delaware. That is because of the cockeyed cotton program which was passed last year. That is the law whether we like it or not. Let us get back to the bill. What is the answer to my question?

I come from a farming area, and I have as much interest in protecting the farmers as does the Senator from Tennessee; but the Senate can act more in-

telligently if we know what they get under existing law.

Under existing law the farmer with 100 acres plants 65 acres in cotton and puts 35 acres under the reserve program. Under the reserve program he would collect about \$100 per acre if his average yield were 2 bales an acre, or \$105 to be exact.

On the 65 acres which he planted, through no fault of his own but through storm, drought, or disaster, he produced no cotton. Does he not still collect around \$100 per acre?

Mr. BASS. No; not if he replaces it with another crop.

Mr. WILLIAMS of Delaware. That is not the question. He leaves it out of production. Does he not collect that amount?

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BASS. The farmer you describe will be paid \$105 an acre for his diverted acres. But he is not allowed to plant anything else on this land. He will also receive \$94.30 an acre for his permitted acres.

Under this bill he will be allowed to plant soybeans on his permitted acres even though he had not first planted cotton.

Mr. WILLIAMS of Delaware. I shall ask the question once again. Let us get straight what he can get under the existing law.

He can collect \$105 an acre for the diverted acres under the existing law. If this bill is enacted the answer is—at least the department thinks—that he can still collect that amount.

I was trying to determine if the Senator managing the bill really understands just how generous the existing law really is. Perhaps this lack of understanding is the reason it is being rammed through.

This bill should go back to the committee, and let them find out what the bill really does.

Mr. BASS. Under present legislation, if the farmer does not want to plant anything on either his diverted acres or his allotted acres, I understand he can draw \$105 an acre on his diverted acres, and \$94.30 on his permitted acres.

Mr. WILLIAMS of Delaware. That is correct.

Mr. BASS. Under this bill, if he is allowed to plant beans on the 65 acres that the Senator was talking about, he will draw the price support payment for that 65 acres even though he had not first planted cotton on it.

Mr. WILLIAMS of Delaware. In other words, under the existing law the cotton farmer is producing two bales of cotton—some have more and some have less, but that is a good figure—this farmer who planted his cotton on 65 acres, and lost it through storm damage can under existing law collect close to \$105 per acre from the Federal Government and still grow a crop of soybeans. There is no question about that.

Mr. BASS. He could plant soybeans on his permitted acres and still receive price support payments on his permitted acres, since, as you point out, he had actually planted cotton on those acres.

Mr. WILLIAMS of Delaware. I am speaking of the 65 permitted acres.

That example covered the case where the producer had planted his permitted acres to cotton. Now, if he had not planted it to cotton but intended to plant it to cotton he can under existing law still collect price-support payments on those permitted acres, but he cannot plant them to any income-producing crop.

This bill would allow him to plant to soybeans or some other noncontrol crop that portion of his permitted acreage which he intended to plant to cotton but which was not planted to cotton, and still collect \$105 per acre from the Federal Government. They soybeans would be eligible for price support; at least a letter I have received, signed by Mr. Godfrey, so states. Perhaps events are moving so fast that even the Department does not know what it is doing. I am only trying to get information as to what is intended. I understand that the Senator from Kentucky has the answer.

Mr. BASS. If the Senator from Delaware will yield, I will try to explain the situation in this way: Under the bill, the farmer would draw absolutely no more money in price support payments than he would draw if he were not not allowed to plant beans on those acres. He would be allowed to draw \$105, or whatever the rate per acre would be in the case you assumed, so long as he either plants cotton or does not plant beans. Under the bill, whether he planted beans or did not plant beans, he would draw that payment if the cotton crop had either been destroyed or prevented from being planted by disaster.

All we seek to do is to say to the farmer that he may plant a crop on the land, if he did not plant any cotton, just as he could have done, had his crop been planted and then been destroyed, and the cost would be nothing additional. He would be allowed to produce a crop that is now in deficit. More beans are needed. In his message on agricultural policy this year, the President called for an increase in the production of soybeans.

The bill will do two things. First, it will prevent the cotton farmer, who is faced with the possibility of being deprived of a crop, from possibly becoming a ward of the local and Federal Governments. At the same time, it will allow him to produce a crop that is needed, sell it on the market, and receive income for it, and thus take care of his responsibilities as a citizen.

Mr. COOPER. Mr. President, if the Senator will yield, perhaps I can help explain the purpose of the bill, at least with respect to the situation in Kentucky. Let me say first that I am a cosponsor of the Senate bill with the Senator from Tennessee [Mr. Bass]. My State does not produce a great deal of cotton, but we do have five counties which produce cotton—they say very good cotton.

This colloquy has been helpful in bringing out the facts. I believe that the Senator from Delaware is correct, as the Senator from Tennessee has accepted it, that if by reason of drought or flood or

other natural disaster a crop such as cotton is not planted, the farmowner who has already signed up for the program can go on to "draw," as we say, his payments, both for diversion and for price support, but he cannot plant his land to any other income-producing crop.

Going further, if he had planted his land in cotton and a drought or flood came along and he lost his crop, then, under existing law, he would be permitted to plant his acreage to another income-producing crop and still receive payments. Is that not correct?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. COOPER. But, if he had not yet planted his cotton, then he would not be permitted to plant the nondiverted areas in an income-producing crop and still remain eligible for payments. The purpose of the bill is to correct an inequity between those who had planted their crop, and those who had been unable to do so.

Two farmers may be in exactly the same position. If both lost their crop, due to unusual rains or drought at planting time, the man who had not yet got seed in the ground—although he may have plowed his ground, had his seed bed prepared, bought his seed and fertilizer, and done all the work preparatory to planting the crop—would not be accorded the same privilege, of raising some other income crop, as the man who happened to get the seed in the ground as well.

All this bill would do is to say that the cotton producer, who because of a natural disaster had been prevented from planting his cotton, would be permitted to plant on the nondiverted acreage an income-producing crop, if it is not a controlled crop. Is that not correct?

Mr. BASS. Yes, it will treat those alike that were damaged on the day of the rain, whether a farmer had planted before or after the rain. If the damage was caused by rain, one farmer planting today, and one prevented from planting tomorrow, they would be treated the same way.

(At this point Mr. Long of Louisiana took the chair as Presiding Officer.)

Mr. WILLIAMS of Delaware. Mr. President, I want to thank the Senator from Kentucky. He has made an accurate analysis both of the existing law and of the pending bill as I understood it. His analysis is in accord with the letter which I received from the Department.

When a farmer who has as yet not planted his crop but can establish that he intends to do so—perhaps he has not even plowed his ground—under those circumstances and under existing law that farmer would be eligible for payments of around \$100 per acre, assuming an average of two bales per acre.

Under this bill, he can draw the approximate \$105 an acre and then raise a soybean crop under price supports. He gets two crops on that same acreage. One argument is made that the farmer who has not planted his crop is entitled to the same consideration as the farmer who has planted his crop and then

lost it. But there is a difference, as anyone who has ever been connected with a farm knows. We know that the farmer who has planted his crop has already made an investment in fertilizer and seed plus labor in getting his land ready. The biggest part of his expenditure for the crop is made in its initial stages, and he has made all these expenditures already. In the second example the farmer has not even planted; yet he gets the same payment and can still raise a soybean crop.

The farmer who has planted nothing and has not put his seed into the ground and therefore has not as yet lost any cash, starts out with this advantage: He can still plant a crop of soybeans in Missouri, Tennessee, or some other State and get a Government payment of \$105 an acre to start with and then raise a soybean crop. How can this be justified?

Does that deal fairly with the independent soybean grower, the man who planned to raise a soybean crop in the beginning? This farmer starts out with a handicap of a \$105 subsidy payment made to his neighbor.

Suppose, further that this second farmer loses the soybean crop. What does he get? Nothing.

I am wondering whether we are not inviting everyone to go on record as intending to grow cotton. Surely this bill needs a little further study.

We are not necessarily dealing with cotton. We are dealing with wheat and corn farmers also. What happens to the wheat farmer? Under this bill any wheat farmer who has put the maximum under the acreage reserve, which is 65 percent, will under existing law, collect \$16.50 an acre if his crop is destroyed. Under this bill if he intends to plant and does not, he can still collect \$16.50 an acre. And then plant soybeans, barley, or any other noncontrolled crop. The farmer in North Dakota may be raising soybeans or barley with a \$16.50-per-acre subsidy, while the other farmer would be raising the same crop with no subsidy. In my opinion that is an inequity.

Under this bill any farmer can go to the county official and say, "I planned on planting cotton, corn, or wheat but it is too dry or too wet, and I am going to raise soybeans." He then gets the special subsidy. If he has had an average yield of 100 bushels of corn per acre and is complying with the program this farmer can collect as high as \$30 per acre and still plant soy beans. Suppose he has 100 acres in corn allotment; his extra payment would be about \$3,250 on this acreage.

Therefore, by saying, "I intend to do something," the farmer can collect \$3,000 extra from the Federal Government and still plant soybeans. Is that what the Senator wishes to do?

Mr. BASS. No, let me say to my friend. His remarks draw a rather for-

midable picture of opposition to the bill, but he is overlooking the fact that this must all be caused by a natural disaster. This will not permit farmer to decide on his own that he does not want to plant corn, or wheat, or feed grains. There has to be cause. There has to be a declared disaster—a natural disaster.

Mr. WILLIAMS of Delaware. Just a moment. We are assuming he has convinced the county officials, first, that he qualifies under the program which would be a matter of record, and second, that it was too wet or too dry on his farm to plant corn. Having passed that hurdle to the satisfaction of the county committee he will get the extra payments under the pending bill.

Mr. BASS. But he must prove that it was a natural disaster which caused this unusual condition. The entire area must have been declared a disaster area.

Mr. WILLIAMS of Delaware. Will the Senator from Tennessee read to us where those steps are outlined.

Mr. BASS. I do not have that particular part in front of me on the Agricultural Act. If the Senator will—

Mr. WILLIAMS of Delaware. If the Senator will read from the pending bill he will see that this procedure is a new departure.

Mr. BASS. I will read that part of the Agricultural Act that deals with natural disasters, if the Senator will wait just a moment.

Mr. WILLIAMS of Delaware. Let us look at a copy of the bill now pending in the Senate. Copies of the bill are on desks of Senators.

Mr. BASS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BASS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BASS. I should like to reply to the distinguished Senator from Delaware by saying that under Public Law 98-321, which was passed on November 3, 1965, the Secretary may find that cotton was not planted because of drought, flood, or other natural disaster. This is a determination which is to be made by the Secretary of Agriculture.

In other legislation, which deals with major disaster areas, the Governor participates in the decision. But in this particular case the decision is made by the Secretary himself.

Mr. WILLIAMS of Delaware. We are dealing with H.R. 15151. I ask again, where is there anything in this bill which restricts this to the Secretary of Agriculture's determination with respect to any drought or wet area?

Mr. BASS. The bill we are dealing with is an amendment to the basic law which I have just read.

Mr. WILLIAMS of Delaware. To clear up this point I ask unanimous consent to have a letter from the Department of Agriculture printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND
CONSERVATION SERVICE,
Washington, D.C.

HON. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: This refers to your telephone conversation with Mr. Cox concerning pending legislation which would affect eligibility for program benefits when a farmer is prevented from planting cotton, feed grains or wheat because of flood, drought or other natural disaster.

The diversion programs for cotton, feed grains and wheat provide price support payments and wheat certificates for participating farmers. The maximum acreages on which such payments and certificates are made are 65 percent of the farm cotton allotment, 45 percent of the farm wheat allotment and 50 percent of the farm feed grain base.

Under the rules there are two conditions under which the price support payments and certificates may be earned even though the crop is not harvested. These conditions are as follows:

1. *Crop planted in workmanlike manner:*

Any acreage which is planted to a crop in a workmanlike manner is considered for purposes of price support and certificate payments as an acreage of such crop, even though the crop may later be destroyed by natural disaster such as flood or drought. In this case the farmer may subsequently use the land for other crops without jeopardizing his right to price support payments.

2. *Farmer prevented from planting by natural disaster:*

Any acreage which the farmer is prevented from planting to cotton, feed grains or wheat because of flood, drought, or other natural causes, may be considered an acreage of such crop for price support payment purposes provided such acreage is not subsequently devoted to other income-producing crops. This is quite restrictive and in implementing this provision, the Department has ruled that any crop harvested for sale or feed is an income-producing crop. There is one exception to this. If a farmer is prevented from planting feed grains he may plant soybeans, an income-producing crop, and still earn full feed grain payments.

The two situations above described result in serious inequities between farms. The extent of such inequities is shown by the enclosed table showing a comparison of payments earned under both situations.

If we can furnish further information on this matter, please let us know.

Sincerely yours,

H. D. GODFREY,
Administrator.

Enclosure.

Comparison of price-support payments earned under 1966 disaster conditions

Crop	Allotment or base (acres)	Maximum acreage for price-support payment	Maximum payment ¹	Payment earned if planted crop is destroyed by natural causes irrespective of later use of land	Payment earned if farmer is prevented from planting by natural causes and—	
					Land is later devoted to an income-producing crop	Land is not later devoted to an income-producing crop
Cotton.....	10	6.5	\$306.15	\$306.15	None	\$306.15
Wheat.....	10	4.5	175.50	175.50	None	175.50
Corn (feed grain).....	10	5.0	150.00	150.00	² None	150.00

¹ Assuming per acre yields of 500 pounds for cotton, 30 bushels for wheat, and 100 bushels for corn.

² Soybeans, an income-producing crop, are authorized on permitted feed grain acreage. Thus, soybeans could be grown without loss of payments.

Mr. WILLIAMS of Delaware. The restrictive measure to which they refer is what they are trying to eliminate under the pending bill. Congress would be leaving it to the Secretary to determine whether or not the weather has been dry or wet in the various areas.

I would rather have the people in the local areas make that determination. Just because it happens to rain in Tennessee one day does not mean that it rained in the State of Washington or in some other State.

This invites political considerations rather than a realistic appraisal of weather conditions.

Surely, no man in Washington, D.C., is so knowledgeable that he is the only one who can make such a determination.

The letter from Mr. Godfrey from which I have just read and which I have put in the RECORD, states that if a farmer suffers, through no fault of his own, from a drought or otherwise he can collect these payments and then plant another crop. The payment price per acre on corn is \$30, \$16.50 on wheat, \$52.50 on cotton. He can get that money solely by establishing to the committee responsible that he had intended to plant that acreage but that because of an act of nature—drought or heavy rains—he was unable to do so. Under those circumstances he can collect this money and still raise a soybean crop.

What are we going to do about the thousands and thousands of independent soybean growers who want to operate without Government subsidies?

Mr. BASS. Let me point out that soybeans are in shortage now.

Mr. WILLIAMS of Delaware. Oh, yes. The Secretary of Agriculture bemoans the fact that perhaps for the first time in recent years the farmers are getting a good price for soybeans. The Secretary does not like to see farmers getting a decent price for any of their products in a free market. He does not like the idea of farmers making money independent of Government subsidies.

Mr. BASS. Let me point out that the Secretary has raised the support price on soybeans from \$2.25 to \$2.50, so that does not indicate he is not sympathetic with them. Even if he felt that way, he would not speak for the Senator from Tennessee.

The congressional district affected by this legislation in Tennessee happens to be in one of the four lowest individual median income areas in the Nation. I

would rather see help given there to raise their income and enable the farmers to put their products on the market than have them in a soup line applying for aid from the Government.

Mr. WILLIAMS of Delaware. How many farmers are in the soup line—

Mr. BASS. No, I did not say that. There are none in the soup line, and we do not want to put them in the soup line.

Mr. WILLIAMS of Delaware. Any Tennessee farmer receiving \$100 per acre for not growing cotton is not a soup line farmer in my part of the country. So before we start passing the hat around to take up a collection for their relief let us get down to the true facts.

Mr. BASS. The Senator from Delaware is going far off base as far as the intent of the bill is concerned. It permits the farmer who did not have the opportunity to get seeds in the ground to receive the same treatment as the farmer who got his seeds in the ground before the floods came. The first farmer may have prepared the land and put in fertilizer and performed all of the other work necessary to produce a crop, but he still would not be eligible unless the bill passes.

All we are asking in the bill is that a farmer who did not plant because of disaster be treated the same way as the farmer who was fortunate enough to plan his seed. For example, a farmer who had not planted on June 4 because a rain came the night before should be treated the same as any other, and not differently just because he was not able to get his seed planted in the ground. That is all we are asking for.

Mr. WILLIAMS of Delaware. Another question: Will the Senator tell us what will happen, if this bill passes, to the farmer down the road growing soybeans? What is going to happen to him when his crop fails?

Mr. BASS. If the market were not available to him at higher than the support price, then the Senator from Tennessee would not be on this floor arguing for this legislation.

Mr. WILLIAMS of Delaware. The Senator from Tennessee did not answer my question. It is sometimes embarrassing to answer questions. The support price on soybeans is \$2.50 a bushel. A farmer can raise soybeans and gets the full support price after collecting a subsidy of from \$30 to \$100 per acre under the pending bill.

A neighbor who happens to have cot-

ton acreage can collect \$105 from the Federal Government and still plant soybeans. So one farmer gets \$105 per acre, and the other gets nothing.

Mr. BASS. The Senator is not taking into consideration the cost of producing the crops. I am sure the Senator does not want to pick on the cotton pickers down in my part of the country.

Mr. WILLIAMS of Delaware. No indeed. I want to keep them in the position of picking cotton and not picking money out of the Federal Treasury. In other words, I want to see that they keep their cotton-picking fingers out of the Federal Treasury.

Mr. BASS. In view of the money that goes into the State of the distinguished Senator from Delaware, if we include the Government contracts that bring in jobs and money, I believe the cottonpickers there are doing fairly well.

Mr. WILLIAMS of Delaware. They are working for their money. They do not get paid twice.

Mr. BASS. Our farmers are working for their money, too. I want them to work. Let them grow something. Do not hand them something.

Mr. WILLIAMS of Delaware. Perhaps I misunderstand. Do I understand correctly that the Senator only wants his farmers to grow soybeans on the acreage and do away with the \$105 payments?

Mr. BASS. I am not proposing to change the basic legislation. I propose to treat all the farmers alike.

Mr. WILLIAMS of Delaware. If all the Senator wants to do is let them grow soybeans I will join him as a sponsor of the bill. I only object to paying farmers \$105 an acre to grow soybeans.

Mr. BASS. All we are attempting to do by the bill is to treat alike one farmer on one side of the road, who planted yesterday, and one farmer on the other side of the road, who cannot plant tomorrow.

Mr. WILLIAMS of Delaware. But the Senator does not care about the independent farmer down the road who is raising soybeans or who is not under the Government umbrella.

Mr. BASS. If that farmer were to be injured under the provisions of the bill, the people of my State would not be so unfair as to ask their Senators to plead here for this type of legislation.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BASS. I yield.

Mr. COOPER. I would like to see the bill finally come to a vote. I do not think it will come to a vote very soon if the distinguished Senator from Delaware continues to interrupt and prod the Senator from Tennessee, and they enter into a cotton-picking discussion, whether about Delaware or Tennessee.

We must advert to the original cotton act for a moment. I am referring to the present cotton program, enacted last year as title IV of the Food and Agriculture Act of 1965. I did not vote for the Talmadge bill, offered as a substitute for the cotton program recommended by our Committee on Agriculture. I did not like all its provisions.

But, with some changes worked out in conference, it is the law.

The statement is correct that under that program whether a cotton farmer

plants within his allotment, or because of natural disaster does not plant it, he can receive his payments for it. Of course, the result is the same; cotton is withdrawn from production.

If Senators believe that that kind of program is all right, it would be better if the farmer did not plant his crop. The cotton would be withdrawn from production, and he would be paid for it. That is the reason he is paid for it, whether it is planted or whether in the event of a natural disaster, it is not planted.

If a natural disaster prevents the cotton from being harvested, the farmer still receives his payments. If he has planted the cotton before the disaster, he can go ahead and grow another crop. The reason for that situation is that the other crop will help him to make up some of the loss—providing income in place of that he hoped to receive from selling cotton.

The curious inequity in the law is that if a man has not planted his cotton, although he has taken over the steps to plant it, and a natural disaster occurs which prevents planting, he may not then devote his nondiverted acreage to some other crop.

Early in the discussion, the Senator from Delaware drew upon such a situation as an argument against the bill. The Senator from Delaware stated that a farmer who had planted his nondiverted acreage had spent money and expended labor in doing so. However, other farmers may have taken all the steps up to the point of putting in the seed. I admit there are differences, but we must assume that those who had not planted had taken some steps toward planting and had incurred some expense. But whether they did or not, we revert to the original proposition that it makes no difference whether they planted or not, because the purpose of the program is to keep the cotton from being produced. That is the main purpose.

This bill is designed to put all farmers on the same basis. If the Senator from Delaware does not agree with the price support program, I am sure he will not like any part of this bill.

I know the Senator from Delaware does not agree with the farm price support programs, and at times he has used effective methods of attacking them. However, I do not think there is any substance in the argument the Senator has made against the bill. It is already the law that another crop may be grown with respect to one group of planters—those who by chance happened to put the seed into the ground. The fellow next door, who intended to put it in the next day, does not stand on the same basis. This bill would put him on the same basis.

I want to answer one other argument of the Senator from Delaware, as to who will decide whether a disaster has occurred which would bring the provisions of the bill into play.

The law provides that the Secretary of Agriculture shall determine whether a disaster has occurred which I assume would be done upon the recommendation of the county and State committees.

The most recent determination was with respect to this very situation, because in May the Secretary of Agriculture did declare the following counties to be disaster areas, therefore making them eligible to receive assistance under the cotton act: Arkansas, 14; Louisiana, 15; Missouri, 8; Illinois, 2; Tennessee, 5; Mississippi, 12; and Kentucky, 2.

The determination as to whether individual farm allotments were not planted because of that disaster would, of course, be made by the county agricultural stabilization and conservation committees; but they would not have a chance to make such determinations until the Secretary had declared the counties to be disaster areas. Does the Senator from Delaware agree?

Mr. WILLIAMS of Delaware. The Senator from Kentucky has stated the situation correctly. He is one of the few Members of the Senate who has explained the bill in language we can understand. The Senator from Kentucky has done his homework. Will not the Senator agree, that although certain counties may be declared disaster areas rain does not stop at a county line. Perhaps county X can very well be established as a disaster area, but perhaps only a small portion of county B, even three or four farms in that county, may be affected. Is it not just as important to those few farmers to receive benefits as it is to all the farmers in county X.

Mr. COOPER. I have no doubt that only a portion of a county can be declared a disaster area, and that that situation could be taken care of.

Mr. WILLIAMS of Delaware. When we speak of declaring a portion of a county a disaster area we are back to the position I took before, of making such declarations on a selective basis.

Mr. COOPER. In what way?

Mr. WILLIAMS of Delaware. If we could go to a county and declare a portion which would take in 2 or 3 farms as eligible then he could declare a portion which would take in only one farm.

Mr. COOPER. That is an argument that could be made against any farm program.

Mr. WILLIAMS of Delaware. I am not making that statement as an argument for or against the measure. I am only stating facts.

The only reason I pointed this out was that the Senator from Tennessee seemed to feel that this could not be done, that there was no such discretionary power to approve an individual farm.

It is my understanding that there is such discretionary authority. If not it would be a gross injustice.

Mr. COOPER. After the Secretary has declared an area to be a disaster area, it is correct that the individual farm determination would be made by the county ASCS committee. The Senator is correct.

I hope we can simplify this debate and reduce the points at issue to their smallest common denominator. When we talk about cotton payments, the cotton planter may receive \$50 or \$94 or \$105 an acre—whether he plants his allotment or not. But the logic behind the procedure is that cotton is retired from

production. That is the purpose of the cotton program.

If one does not agree with this type of legislation, he may talk about the \$105 payment. But we know the reason behind it is that cotton is withdrawn from production. That provision is already contained in the law and is part of the cotton program.

All that the pending legislation would do would be to put every farmer who is participating in the cotton program on the same basis. If he cannot plant his cotton crop, he can plant some other income-producing crop on those acres which are not diverted—but he may not plant a government controlled crop for which he could secure diversion or other payments.

I believe that is all there is to the bill, and I think that we should pass the bill.

Mr. MILLER. Mr. President, I have listened to the arguments from both opponents and proponents of the pending litigation. I am not at all satisfied that this measure would treat all farmers alike.

The Senator from Kentucky has said that the only object of the bill is to treat cotton farmers in the program alike. However, it has been pointed out that those farmers who have cultivated and planted their crops are now covered. Those who have not planted at all would not be covered under the pending bill. There is an inequity in treating them in the same way.

As the Senator from Delaware has pointed out, costs would be incurred by those who had cultivated and planted, whereas those farmers who had not cultivated or planted would have no costs at all.

Mr. COOPER. The farmers have prepared the land.

Mr. MILLER. I am using as an example the case of a farmer who has not prepared his land because flood or some other disaster has not permitted him to do so. There is a tremendous cost that he has not been obligated to incur.

Mr. COOPER. Every farmer would not be the same. There would be differences. Some farmers would incur greater expenses than others. Other farmers may not have incurred any expenses. However, nearly all farmers would have incurred some expense.

A certain amount of inequity could be involved, it is true; I know of no disaster provision which compensates for every difference. This is not an insurance program. We must be practical about this legislation. When would a flood prohibit a farmer from planting his cotton?

Mr. MILLER. I think that can be determined locally.

Mr. COOPER. It would be at the latest possible time that he could plant the crop. If a flood had occurred weeks before, the man would probably wait to see if he would be able to plant his crop.

So there is a very narrow area in which there might be inequity. However, a larger inequity now exists. Two classes of farmers are involved. One class is able to plant another crop. The other class is not able to do so.

The Senator has served on the Committee on Agriculture and Forestry and

knows that there is a disaster provision in the act of 1965 for feed grains, and for wheat, identical to the disaster provision for cotton. The farmers in the State of Iowa, if they have not planted their corn crop because of some disaster, can draw the feed grain payment just the same.

Mr. MILLER. Why is the Senator from Kentucky not satisfied to treat the cotton farmers in the same way?

The Senator will remember that, at the time this matter was informally discussed in the Committee on Agriculture and Forestry, the distinguished chairman of the Committee on Agriculture and Forestry stated that he thought they ought to be treated alike, and that he certainly could not support a measure that would treat them differently. The pending bill would treat them differently.

Mr. BASS. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. BASS. Mr. President, the distinguished chairman of the Committee on Agriculture and Forestry asked me to state on the floor of the Senate that he fully supports the pending measure.

Mr. MILLER. I am glad that the Senator has that information. However, I find it difficult to understand why the Senator from Louisiana would fully support the pending measure in view of the inequities that the Senator from Delaware has developed during the few moments of colloquy here.

Mr. BASS. A committee staff member informed me that the Senator from Louisiana wanted to make it very clear that he fully supports the pending measure.

Mr. MILLER. I am pleased to hear that. However, at the same time I would feel a lot better about it if the Senator from Louisiana had had an opportunity to listen to the colloquy which has occurred here, during which colloquy the Senator from Delaware has pointed out some things which might not have been apparent to the Senator from Louisiana at the time he gave his blessing to the measure.

Mr. President, for that reason I send to the desk a motion by the Senator from Delaware and myself and ask that it be stated.

The PRESIDING OFFICER. The motion will be stated.

The legislative clerk read as follows:

Motion by Senators MILLER and WILLIAMS of Delaware:

"Mr. President, we move that the bill (H.R. 15151) be referred to the Senate Committee on Agriculture and Forestry."

Mr. MILLER. Mr. President, I ask for the yeas and nays on the motion.

The yeas and nays were not ordered.

Mr. STENNIS. Mr. President, I strongly support the pending bill which is designed to give relief to those farmers who have been prevented by natural disaster from planting cotton, wheat and feed grains. Although my State is not particularly affected insofar as wheat and feed grains are concerned, we do have a considerable interest with reference to this bill as it affects cotton acreage.

During the early part of the planting season this year, many parts of the mid-South experienced bad drought conditions which prevented many farmers from planting their full cotton acreage. Once relief came, the rains were so heavy that the farmers were still not able to plant their cotton. In addition to the heavy rains, the weather was unseasonably cold and these cold, wet conditions are not favorable to proper germination. Therefore, many farmers will be prevented by these natural disasters from harvesting a normal crop.

This situation is particularly prevalent in north Mississippi, and I am advised that extreme conditions have also existed in Missouri, Arkansas, Louisiana, and west Tennessee.

Mr. President, the enactment of this bill is necessary to remove the inequity which exists between those farmers whose supported crops have been destroyed by natural disaster and those who have been prevented by natural disaster from even planting their crops. Congress established the policy of assisting those in the former category when it enacted the Food and Agriculture Act of 1965. Every member in this body had the opportunity of voting on that measure, and a majority of the membership approved. It is only right and just that we now give to those farmers who were unable to plant a crop at all the same alternative given those whose crop has been planted but subsequently destroyed by natural disaster.

There is no segment of our economy which finds itself in a more difficult position today than that of our farmers. The ever-increasing level of prices and cost of living has again caught the farmer in a price-cost squeeze that is almost unbearable, particularly for the small marginal farmers. I believe it is imperative that we give them some form of relief, and this proposal now before the Senate is designed to do just that. It would at least enable them to plant a substitute crop, such as soybeans, so that they would have an income from the land which they have been prevented from planting because of an act of God. I therefore strongly support this bill and urge all Members to vote for its passage.

FAIR PACKAGING AND LABELING ACT

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the clerk will state by title.

The LEGISLATIVE CLERK. A bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Mr. BASS. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate continue with the consideration of H.R. 15151.

The PRESIDING OFFICER. Is there objection?

Mr. MILLER. Mr. President, reserving the right to object, am I to infer that the reason for the Senator's request is to proceed on the cotton bill we have been talking about?

Mr. BASS. The Senator is correct.

Mr. MILLER. Mr. President, I wonder why the Senator could not let the unfinished business continue, and then try to take the cotton bill up a little later in the day.

Mr. BASS. I say to my distinguished friend that we are dealing with an emergency situation. We introduced this legislation only because of a disaster that occurred, which necessitated the action we are taking here today. The Senator has his motion ready to present to the Senate, and I hope that he would allow us to go ahead and proceed with the bill now under discussion, offer his motion, and dispose of it one way or the other. If his motion carries, that will be the end of the legislation today. If it does not carry, then we can go on to some conclusion on this bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. MILLER. Mr. President, reserving the right to object, in response to the Senator from Tennessee, let me say the thing that concerns me is that this bill has been called up very suddenly. It has not been referred to our Agriculture Committee. It was called up very abruptly over in the House the other day on a unanimous-consent request. It is my understanding that there were very few Members on the floor of the House at the time.

Granted that there may be some kind of emergency, it would seem to me that in the areas we have been talking about, namely, Tennessee and some of the other Southern States, they are not nearly as much in a state of emergency, as far as getting a crop planted, as we might think. In my own State of Iowa, which is much farther north than Tennessee, there are many farmers who do not have their crops in yet because of extremely wet conditions. If the Senator thinks there is an emergency in Tennessee, I would say there is, a fortiori, an emergency in Iowa. I do not see why we have to be in so much of a big rush, rather than delay the matter 2 or 3 days to give it adequate consideration. I cannot see why we do not do that, instead of rushing it through the Senate.

Mr. BASS. I say to my friend that I have just returned from Tennessee. I was in the area affected by this legislation yesterday. I flew over the areas involved. I know what the conditions are, and they are serious.

I also have been informed by professionals that if this legislation is not passed immediately, then it will be too late to plant soybeans that will bring income to the affected farmers there.

For that reason, I would have to insist that we proceed with the measure.

Mr. MILLER. May I say to my friend from Tennessee, I do not know who these soybean experts are, but there is plenty of time yet to get a soybean crop in the ground in Tennessee.

Mr. BASS. I do consider my friend an expert on farm measures in Iowa, but I would not wish to take his advice on planting time and conditions in the State of Tennessee. I would much rather take the advice of some of our distinguished farmers down there, who have been in the business a long time. They tell me it is an emergency, and the time is imminent.

Mr. MILLER. I can understand why the Senator would prefer to do that, as long as they are asking him to get the bill passed without any delay up here. My point to the Senator is that farther north, where I come from, there are still a good many farmers who do not have their crops in, and yet they are banking on getting a crop. I do not understand all of the rush, because Tennessee has a much longer growing season than we have up north. I assume they will be growing the same kind of soybeans, if the measure passes.

Mr. BASS. In the long years I have been in Congress, I have seen emergencies arise in the Senator's area, and I have always supported measures to deal with such emergencies as being in the interests of the farmers in his area. I hope my distinguished friend will not delay this legislation because it happens to affect an area in Tennessee and the Midsouth, and not to be of immediate urgency in his own area.

Mr. MILLER. Mr. President, all I am pointing out to the Senator from Tennessee is that all of this business of a rush to get this bill passed right now, without any consideration by our Committee on Agriculture, after it has been called up on a unanimous-consent basis over in the House, with very few people on the floor, is not conducive to proper legislation.

The Senator from Iowa appreciates any support that the Senator from Tennessee has given to emergency farm legislation. The point I am making is that I would not be on my feet talking now if this legislation treated all the farmers alike. But the Senator from Delaware has pointed out that it does not do that.

Mr. BASS. Let me say to the Senator, as far as rushing this thing through is concerned, the Senator from Delaware objected last week and had it laid over until today. This measure has been lying on the desk now for a week and everyone has had a full opportunity to study the bill, as the Senator from Delaware has done.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BASS. So there is no question of rushing this through. It has had a week's delay.

Mr. MILLER. It has not even been before the Committee on Agriculture and Forestry.

Mr. BASS. Yes; it was in the committee on the 24th of May.

Mr. MILLER. What was the action of the Senate Agriculture Committee?

Mr. BASS. The committee was polled by the chairman, as I understand, and the majority of them said they had no objection to the bill.

Mr. MILLER. The Senator from Iowa has never been polled on the issue.

Mr. BASS. Then I stand corrected, because I have been out of town. But it was my understanding that when the bill was called up, there was only one objection, and that was that of the Senator from Delaware. The Senator from Delaware said at the time—and I have just read the RECORD—that he would have no objection to the bill being taken up immediately after the recess for the holiday.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BASS. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. To get the RECORD straight, the bill was introduced in the House of Representatives last Tuesday, 1 week ago yesterday, and was passed the same afternoon, before there was more than one copy of the bill available. When the bill came over to the Senate it was stopped at the desk, laid before the Senate, and made the pending business. There was then but one copy of the bill in the Senate. I objected and said that that was not the way to legislate and that by all means the bill should go over until this week and be printed.

I have tried to familiarize myself with the legislation, and as far as I am concerned, I am perfectly willing to proceed today; but I do think there is merit in what the Senator from Iowa has said, that this matter should have some committee consideration. I have talked to several members of the Agriculture Committee who did not know, for example, that it would affect the feed grains program, that the bill covered wheat, or that it covered corn.

The Senator from Tennessee keeps referring to this situation as an emergency or a disaster, two words which have a tendency to get immediate consideration. But if this is an emergency or a disaster why did not somebody know about it and introduce a bill before last Tuesday?

Mr. BASS. Will the Senator yield to me?

Mr. WILLIAMS of Delaware. Just a moment, I have not finished.

Mr. BASS. I introduced a bill myself, or the Senator from Mississippi [Mr. EASTLAND] introduced a bill for me, on behalf of himself and myself, on May 19, 1966. Here is a copy of the bill, right here.

Mr. WILLIAMS of Delaware. But were there any committee hearings on the Senator's bill? The answer is "No." Why not, if it was a disaster?

Mr. BASS. Because the bill was taken up in the House of Representatives. The House of Representatives on the recommendation of the Committee on Agriculture amended the bill. The identical bill was introduced in the House, the bill was amended, and then, on the 24th of May, some 5 days later, the House of Representatives passed the bill. It came to the Senate, the chairman moved to take the House bill off the table and proceed to its immediate consideration, and the Senator from Delaware objected. So the

bill has been before the Senate since May 19.

Mr. WILLIAMS of Delaware. No; it has not, Mr. President.

Mr. BASS. Here is a copy of the bill.

Mr. WILLIAMS of Delaware. Of this same bill?

Mr. BASS. It was the identical bill as originally introduced in the House of Representatives. That was amended by the House committee after that time to include feed grains and wheat.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the text of both S. 3382 and the pending bill, H.R. 15151, be printed in the RECORD at this point, and the RECORD will show they are not the same bill.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 3382

A bill to amend the Agriculture Act of 1949, as amended, to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by adding before the period at the end of paragraph (3) thereof the following: "Provided, That for the 1966 crop any such acreage in areas designated by the Secretary as disaster areas may be devoted to soybeans."

H.R. 15151

An act to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words "income producing crop in such year." and inserting "crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year." and inserting in lieu thereof the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect."

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the sentence reading "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year." and inserting in lieu thereof the sentence "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest

for purposes of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect."

Mr. BASS. I said the bill was amended by the committee in the House. If the Senator will get a copy of the House report, which is available, he will see the bill was amended.

Mr. President, I call for the regular order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. MILLER. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BASS. Mr. President, I move that the Senate proceed to the consideration of H.R. 15151.

Mr. MILLER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The question is on agreeing to the motion to proceed to the consideration of H.R. 15151.

Mr. YOUNG of North Dakota. Mr. President, I believe the sponsors of this bill would have saved time if they had permitted the bill to go to the committee in the first place. I was never consulted about it at any time. However, there is an emergency as far as wheat is concerned.

The Red River Valley in North Dakota has been drowned out, that is a part of it, both last year and this year. It is almost too late now to plant wheat. They could plant soybeans or flax up until about 2 or 3 weeks from now. After that it is too late to plant any crop that I know of.

If this bill is to help the wheat farmers of my State, and some of them have been drowned out and need it badly, the bill should pass immediately.

I regret that the bill did not go to committee in the first place. At least we who come from wheat States should have been contacted.

I support the motion to pass the bill.

Mr. BASS. I appreciate the support of the Senator.

Mr. COOPER. I joined the Senator from Tennessee [Mr. BASS] and the Senator from Missouri [Mr. SYMINGTON], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Arkansas [Mr. McCLELLAN], in introducing S. 3382, which would deal only with cotton and with the emergency during this crop year.

I have read the hearings held by the Committee on Agriculture of the House of Representatives. In the House of Representatives, members of the committee raised questions about other crops—as has the Senator from North Dakota [Mr. YOUNG], who has brought up the question of wheat. Out of that discussion, this bill was amended by the House Committee to include feed grains and wheat.

I agree that it would have been better if the House bill had been referred to the Senate Committee on Agriculture, and we could have held hearings, secured all the facts, and presented a report to the Senate on it.

Mr. BASS. I agree with the Senator.

Mr. COOPER. We would not then have had this argument made against it. But on the merits, there is nothing new about this bill. Actually, the provision that we are talking about today was discussed in the Senate Committee on Agriculture last year, in considering the natural disaster provisions that were included in the wheat, feed grains and cotton programs contained in the Food and Agriculture Act of 1965.

There is nothing in this bill which is difficult to understand. As I see it—and I believe I am being fair to my friend from Delaware and my friend from Iowa—I think the Senator himself knows everything about the bill. Other than the fact that he does not like price support bills, I do not think that he sees much wrong with this bill.

Mr. WILLIAMS of Delaware. The Senator is very charitable in his analysis of my knowledge of the bill, but I am seeking information from the manager of the bill.

Where is this emergency that has developed. I repeat again, this bill was not introduced in the House of Representatives until one week ago yesterday, and it was passed by the House the same day that it was introduced.

When the bill was brought to the Senate it was stopped at the desk. The bill is now before the Senate and has never been considered by any committee.

The Senator from Tennessee is correct when he said that last week I asked that the bill go over; I objected to the unanimous-consent request to consider it then because there was not even a printed copy of the bill for our use.

Let us get the RECORD straight. Without this bill these farmers that the Senator from Tennessee is shedding so many crocodile tears for, will under existing law be collecting \$105 per acre for a crop they have never planted. This payment is made even without this bill.

Mr. BASS. This bill does not change that.

Mr. WILLIAMS of Delaware. No, it still gives them around \$105 per acre, assuming a 2-bale cotton production record, but he wants them to go on and raise a crop of soybeans in competition with the soybean farmers and still get this subsidy payment. They will be in competition with independent farmers raising soybeans without a subsidy. This creates an inequity. That is clear. But how can it be justified?

Such an important amendment to the major agriculture act should have some committee consideration. The Senator from Tennessee said that there is a great catastrophe in his area. But will there be a catastrophe next year, and the year after, and for 4 years in succession because this bill proposes a 4-year program. It is not dealing with the situation as it may exist in Tennessee today. Let us face it; this is another of the Great Society's giveaway programs. This is another step toward the Secretary's control of our agriculture markets. Price manipulation is one of the goals of this administration, and they care not how

they get the power or what the cost may be. This is a 4-year program.

Mr. BASS. I agree that it is a 4-year provision. I remember something that was said in Tennessee by an oldtimer:

It does not help to lock the barn after the mule is already out.

Let us understand this legislation. I do not predict a disaster and am not hoping for one. But if one arises I hope that we in the Senate have had sufficient vision and wisdom to take care of those who will have been subjected to such a hazard.

With respect to the introduction of the bill, here is a copy of H.R. 15151, introduced by Mr. Jones of Missouri on May 18, 1966. I show it to my distinguished friend.

Mr. WILLIAMS of Delaware. Mr. President, I have a copy of the bill that is before us, and I have a copy of the bill introduced May 18. They are different.

Mr. BASS. The bill was amended, but this was the original H.R. 15151.

Mr. WILLIAMS of Delaware. H.R. 15151, which the Senator referred to as being introduced on May 18, and the bill introduced on May 26 which is before the Senate now are not the same text.

Mr. BASS. They have the same number.

Mr. WILLIAMS of Delaware. It has the same number but this is not a numbers racket.

Mr. BASS. This is the only way we have to identify identical bills. This is done in the Senate and in the House of Representatives.

Mr. WILLIAMS of Delaware. One has about one paragraph; the other, three pages.

Mr. BASS. That is the bill as—

Mr. WILLIAMS of Delaware. This is the first bill as introduced. This second bill was introduced on the 24th.

Mr. BASS. This bill was introduced on the 18th. It has the same number.

Mr. WILLIAMS of Delaware. Once again I suggest the Senator is dealing with the numbers racket.

Mr. BASS. Does the Senator know any way to identify the bill in the House of Representatives or in the Senate other than by number?

Mr. WILLIAMS of Delaware. Yes, send these bills to the committee and handle them in the normal manner. I suggest the absence of a quorum so that I may get a copy of the RECORD of last Tuesday for the Senator.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I have the RECORD of May 24, and I refer to page D451, outlining the procedure for the House of Representatives. At the top of the page there appears the title "House of Representa-

tives," and beneath that "Chamber Action." Under "Bills Introduced" it lists H.R. 15151 as being introduced that day and also that the bill passed the same day. That is the official record.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BASS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Without objection, it is so ordered. The question is on the motion to proceed to the consideration of H.R. 15151.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. MILLER. Mr. President, I ask for the yeas and nays on the pending motion, to refer the bill to the Committee on Agriculture and Forestry.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, I wish to say merely that the reason for the motion is so that the Agriculture and Forestry Committee can consider this question because there has been no polling, to my knowledge. If there was any, I am sure that my office would have known about it, as well as myself. There has been no polling of the members of the committee. At the time this was mentioned by the Senator from Tennessee in the Committee on Agriculture and Forestry, there was some question about it, and there was anything but unanimity of opinion on it.

I want to point out that the bill is defective. It does not treat farmers alike. If the Senator from Tennessee and the Senator from Iowa were neighbor farmers, and I had been subjected to a flood which had prevented me from cultivating and planting on my land, I would be treated exactly the same as the Senator from Tennessee if he had a farm which he had already cultivated and planted but because of the flood would not be able to grow a crop.

Certainly, as between the two of us, equity would demand that my payments be reduced by the amount of the savings I had from not having to cultivate and plant my crop. Yet I believe that the Senator from Delaware has made it clear also that with respect to the soybean farmer who is not protected and is not in any program at all, this is also inequitable. If we had an opportunity to sit down and discuss this question, I would be happy to spend as much time as would be necessary to work this out with the Senator from Tennessee so that we could come up with a modification of the bill which would make it equitable and I believe that we could act promptly. I am not suggesting that this be referred to the Committee on Agriculture and Forestry for the purpose of burying it. I am suggesting that it be referred to the committee so that we can work out a piece of legislation which will be on the books for another 4 years so that the Senator from Tennessee's problem can be satisfied and at the same time we can do equity to our farmers.

When I talk about equity to our farmers, I am referring to equity among the farmers in the State of Tennessee. The example I gave could pertain just as well to neighboring farmers in Tennessee as to neighboring farmers in Iowa, but of course being from Iowa I am concerned about the bill because now the bill has been modified in the House to include feed grains which was not in the Senator's original bill at the time we discussed it in the committee.

Thus, that is the purpose of my motion and I hope that it will be supported, with the understanding that I will do all I can to work with the Senator from Tennessee to mold this into an equitable piece of legislation.

Mr. BASS. I should like to respond to the Senator from Iowa by saying that I would have to oppose the motion to refer to committee. I should like to refer to the RECORD on this, that this bill has been on the table since before May 26. If Senators will look at the front page of the RECORD for May 26, they will find the statement by the chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], in which he stated:

I have consulted with the majority leader and the minority leader and those who are interested in the bill. There was no objection to taking it up today.

However, I have learned that in the last few minutes that there is objection. There will be objection urged by the Senator from Delaware [Mr. WILLIAMS].

A Senate bill similar to this bill—H.R. 15151, which has been enacted by the House of Representatives—is before the Committee on Agriculture and Forestry.

I have consulted many members of the committee, and there is no objection to it.

Mr. President, I am committed to the bill as it passed the House, and which is now the pending business of the Senate. It is an emergency situation. I should like to say to my friend from Iowa that I would certainly like to do everything I can to work out with him any differences that there might be, but this bill is going to take care of an emergency situation. If there is something else in the bill that might be effective for next year, the Senator is on the Committee on Agriculture and Forestry and we will have enough time to consider revisions of the legislation. If it seems that it will be punitive to anyone—and I do not believe that it will—we can change it. However, because of the emergency nature of the legislation, I will have to oppose a motion to refer to the committee and delay action on the bill.

Mr. WILLIAMS of Delaware. I shall not delay the vote, but I again read from the House proceedings as appearing in the CONGRESSIONAL RECORD of May 24, page D451:

H.R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster, amended (H. Rept. 1549):

Continuing on the same page it states:

Soybeans: The House passed H.R. 15151, to permit the planting of soybeans in lieu of cotton in certain disaster areas in 1966, amended.

This bill was passed the same day it was reported in the House of Representatives, and it has never seen committee action. This should go to the committee.

Tomorrow the Committee on Agriculture and Forestry meets, and they could give this bill the careful examination it needs.

The bill does not deal with only this year. This is a bill which projects a new subsidy for 4 years. As I pointed out before, there are many of us who think that one phase of our national disaster will be solved by the 1968 election.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Iowa and the Senator from Delaware. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUE], the Senator from New York [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Connecticut [Mr. RIBICOFF] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from West Virginia [Mr. RANDOLPH], the Senator from South Carolina [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. ERVIN], is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. HARRIS], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH], would each vote "nay."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from North Carolina [Mr. ERVIN]. If present and voting, the Senator from Louisiana would vote "nay" and the

Senator from North Carolina would vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG] is absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from Delaware [Mr. BOGGS], the Senator from Kansas [Mr. CARLSON], the Senator from Michigan [Mr. GRIFFIN], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business.

If present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "yea."

On this, vote the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 16, nays 52, as follows:

[No. 79 Leg.]

YEAS—16

Bennett	Javits	Saltonstall
Cotton	Jordan, Idaho	Scott
Curtis	Kuchel	Smith
Dirksen	Miller	Williams, Del.
Hickenlooper	Murphy	
Hruska	Prouty	

NAYS—52

Allott	Hart	Nelson
Anderson	Hartke	Neuberger
Bartlett	Hill	Pearson
Bass	Holland	Pell
Bayh	Jackson	Proxmire
Brewster	Kennedy, Mass.	Robertson
Byrd, Va.	Long, Mo.	Russell, Ga.
Byrd, W. Va.	Long, La.	Smathers
Cannon	Mansfield	Stennis
Church	McCarthy	Symington
Clark	McGee	Thurmond
Cooper	McIntyre	Tower
Dominick	Monroney	Tydings
Douglas	Morse	Williams, N.J.
Eastland	Morton	Young, N. Dak.
Fannin	Moss	Young, Ohio
Fulbright	Mundt	
Gruening	Muskie	

NOT VOTING—32

Aiken	Griffin	Mondale
Bible	Harris	Montoya
Boggs	Hayden	Pastore
Burdick	Inouye	Randolph
Carlson	Jordan, N.C.	Ribicoff
Case	Kennedy, N.Y.	Russell, S.C.
Dodd	Lausche	Simpson
Ellender	Magnuson	Sparkman
Ervin	McClellan	Talmadge
Fong	McGovern	Yarborough
Gore	Metcalf	

So the motion of Mr. WILLIAMS of Delaware for himself and Mr. MILLER, to refer the bill to committee, was rejected.

Mr. LONG of Missouri. Mr. President, this spring, southeast Missouri cotton counties have been seriously affected by spring floods. As of this time, even, many farmers have been unable to get into their fields to plant.

I have been contacted in the past 2 weeks by many cotton farmers of the State and by the Missouri cotton producers, stating the desperate need of some means to relieve their situation. Some private institutions in the State have withdrawn from accepting applications for farm loans.

Relief would be granted by the enactment of H.R. 15151. While it would not permit these farmers to recoup their entire loss, it would prevent the financial disaster resulting from a complete loss of this income.

I hope the Senate will approve this most important bill which will, incidentally, not adversely affect Federal marketing programs.

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the Senator from Iowa [Mr. MILLER] and myself, I offer the amendment I send to the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill, insert the following new section:

"SEC. 4. The amendments made by this Act shall be effective for the 1966 crop only."

Mr. WILLIAMS of Delaware. Mr. President, the bill before us is being presented as an emergency measure. Yet, significantly, it does not contain a time limit; it runs for 4 years concurrently with the regular Agricultural Act. Certainly no one can foresee a 4-year emergency. By all means, if the bill is to pass it should be limited just to taking care of the situation described here.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS] and the Senator from Iowa [Mr. MILLER]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUE], the Senator from New York [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Connecticut [Mr. RIBICOFF], are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from North Dakota [Mr. BURDICK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOLYA], the Senator from West Virginia [Mr. RANDOLPH], the Senator from South Carolina [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. ERVIN] is absent because of illness.

I further announce that, if present and voting the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Sen-

ator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG] is absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from Delaware [Mr. BOGGS], the Senator from Kansas [Mr. CARLSON], the Senator from Michigan [Mr. GRIFFIN] and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business.

If present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "yea."

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 20, nays 48, as follows:

[No. 80 Leg.]

YEAS—20

Allott	Hickenlooper	Murphy
Bennett	Hruska	Pearson
Cooper	Javits	Prouty
Cotton	Jordan, Idaho	Saltonstall
Curtis	Kuchel	Scott
Dirksen	Miller	Williams, Del.
Dominick	Morton	

NAYS—48

Anderson	Hartke	Nelson
Bartlett	Hill	Neuberger
Bass	Holland	Pell
Bayh	Jackson	Proxmire
Brewster	Kennedy, Mass.	Robertson
Byrd, Va.	Long, Mo.	Russell, Ga.
Byrd, W. Va.	Long, La.	Smathers
Cannon	Mansfield	Smith
Church	McCarthy	Stennis
Clark	McGee	Symington
Douglas	McIntyre	Thurmond
Eastland	Monroney	Tower
Fannin	Morse	Tydings
Fulbright	Moss	Williams, N.J.
Gruening	Mundt	Young, N. Dak.
Hart	Muskie	Young, Ohio

NOT VOTING—32

Aiken	Griffin	Mondale
Bible	Harris	Montoya
Boggs	Hayden	Pastore
Burdick	Inouye	Randolph
Carlson	Jordan, N.C.	Ribicoff
Case	Kennedy, N.Y.	Russell, S.C.
Dodd	Lausche	Simpson
Ellender	Magnuson	Sparkman
Ervin	McClellan	Talmadge
Fong	McGovern	Yarborough
Gore	Metcalf	

So the amendment of Mr. WILLIAMS of Delaware was rejected.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MILLER. Mr. President, I send to the desk an amendment on behalf of myself and the Senator from Delaware [Mr. WILLIAMS] and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. MILLER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD at this point.

The amendment is as follows:

Strike "SEC. 1" and insert in lieu thereof the following:

"That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking the period at the end of subparagraph (3) and adding thereto the following: 'or shall be deemed to be planted to cotton for purposes of one-half of payments under this subsection if such acreage is not subsequently devoted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect.'"

On page 1, line 9, strike the words "striking out" and insert in lieu thereof the words "adding after".

On page 2, lines 4 and 5, strike the words "and inserting in lieu thereof the" and insert in lieu thereof the words "the following new".

On page 2, line 2, after the word "of" insert the words "one-half of".

On page 2, line 14, strike the words "striking out" and insert in lieu thereof the words "adding after".

On page 2, lines 20 and 21, strike the words "and inserting in lieu thereof the" and insert in lieu thereof the words "the following new".

On page 2, line 23, after the word "be" insert the words "one-half of".

Mr. MILLER. Mr. President, I should like to have the attention of the Senate for a moment. I believe that we can dispose of this amendment in a short time.

Mr. President, I ask for the yeas and nays.

Mr. BASS. Mr. President, will the Senator yield to me first?

Mr. MILLER. I yield.

Mr. BASS. Mr. President, many statements have been made on the floor this afternoon concerning the figure of \$105 premium payment. Based on the national average yield of 531 pounds per acre, and a price support payment of 9.43 cents per pound, instead of a premium payment of \$105 an acre, the average premium payment for cotton is \$50.07. I wanted to make the RECORD clear on that figure.

Mr. MILLER. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, my amendment would merely try to correct an inequity which exists in the pending bill.

If the pending bill were enacted into law, the farmer who does not get his crop planted would be treated exactly the same as would the farmer who does get his crop planted.

For example, if we take two farmers, possibly neighbors, one of them might incur a cost of \$1,000 in cultivating and planting his land and the other farmer might not incur any cost. If each were to receive \$3,000 in payments, as between the farmer who has gone to the expense of cultivating and planting his land, he would be \$1,000 behind the farmer who, due to disaster or something over which he has no control, was not able to cultivate or plant his crop.

Under my amendment the second farmer who could not plant his crop

would have a choice. He could receive one-half of the payment and then try to grow some other crop, or he could receive the full payment and not grow another crop.

I suggest that this would give him a choice, and at the same time it would remove the inequity which exists between him and the farmer who has already gone to the expense of cultivating and planting his crop.

I wish I had had more time in which to perfect this amendment. That is the reason that I wanted to have the bill referred to the Committee on Agriculture and Forestry. However, under the circumstances I do believe that my amendment, if agreed to, would go a long way toward clearing up inequities which exist.

These inequities can exist in Tennessee with regard to cotton farmers, in Iowa with regard to feed grain farmers, and in Kansas with regard to wheat farmers.

I do not believe that we ought to legislate inequitably between farmers.

My amendment, if agreed to, would clear up this inequity by giving to the farmer who had not gone to the expense of cultivating and planting his crop only one-half of the payment. Then if he wanted to grow other crops, he could do so.

The first farmer, who has the expense of cultivating and planting, will get all of his payments and can grow his crop. So there is a cost differential here which the bill does not take into account; and my amendment, I think, will clear it up.

Mr. BASS. Mr. President, I wish to oppose the amendment with one very brief statement. First of all, when a farmer is prevented from planting because of a disaster, it can occur at a time when his expense has already been incurred in preparing the land for planting, buying seed, fertilizer, and everything else. So the cost involved is not important enough to justify the Senator's amendment. I oppose the amendment, and ask for a vote.

Mr. WILLIAMS of Delaware. Mr. President, this amendment does not affect, one iota, the farmer who has planted his crop and loses it through a drought or excessive rain. Under the existing law that farmer can already collect these payments and plant a crop of soybeans if he wishes.

This amendment deals only with that farmer who has not planted his crop at all. He has not invested money for fertilizer or seed. This is the man we are dealing with. Even under existing law, if this farmer has an average production record of 2 bales of cotton per acre—which is not an unreasonable production—he will collect around \$100 per acre on this land which he has never planted. Under this bill he can collect this payment and still raise a crop of soybeans.

Mr. BASS. Will the Senator yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. BASS. The Senator has been using a figure of \$105. While he was away from the Chamber a moment ago, it was brought out that the national

average on cotton production is 531 pounds per acre, which results in an average price support payment for cotton of \$50.07 per acre.

Mr. WILLIAMS of Delaware. The Senator is speaking now of approximately 1 bale of cotton. I am speaking of 2 bales per acre.

Mr. BASS. The national average production is about 531 pounds. That is what I am speaking of.

Mr. WILLIAMS of Delaware. But we are dealing here with all acreage; and I said the man who has 2 bales could well draw around \$100. To go a step further, if a man has an average of 3 bales he could draw close to \$150 per acre. Yet he has made no investment whatsoever. He has not plowed his ground, and has used no seed, no fertilizer; he just collects the payment. If he has 100 acres of cotton allotment he collects \$10,000 from the Government and under this bill can plant a soybean crop on the same acreage. If he has a thousand acres he can collect \$100,000 from the Federal Government, still grow 1,000 acres of soybeans, and get price supports on his soybeans. He can collect both amounts under the bill before us now.

The Senator from Tennessee argues that this is a great unexpected emergency, but the Senate has rejected an amendment which would limit it to 1 year, so therefore this emergency is being projected for the next 4-year period. In other words, it is permanent legislation. If we are going to adopt this principle we could just as well say that the man who is drawing unemployment insurance can also get a job somewhere else and put both amounts in his pocket.

We do not permit the laboring man to do this; and as one coming from a farming area, one who was raised on a farm, I say, why should we permit the farmer to do it?

It is interesting to note that we do not have testimony here from a single farm organization advocating any such measure as this as being necessary. Those who are advocating this measure are those who would benefit from the political aspects of the agriculture program, because it is nice to be able to go out and say what is being gotten for someone.

But I point out again that without the passage of this bill cotton farmers are receiving around \$100 an acre in subsidy if they have a production record of two bales of cotton. This is paid even though they do not plant anything. This bill would give them the full payments and allow them to plant the soybean crop on the same acreage. All the amendment of the Senator from Iowa would do is equalize the payments and pay a lesser payment to that farmer who has not gone to the expense of planting his seed and buying his fertilizer and cultivating that crop to some extent. There is a difference, and that difference should be adjusted here.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The question is on agreeing to the amendment of the Senator from Iowa. On this question, the yeas

and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON. Mr. President, is a parliamentary inquiry in order?

The PRESIDING OFFICER. A parliamentary inquiry is not in order at this time, a yea and nay vote being in progress.

Mr. ANDERSON. There are no copies of the bill. We cannot tell what we are voting on.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUE], the Senator from New York [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Connecticut [Mr. RIBICOFF], are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTGOMERY], the Senator from West Virginia [Mr. RANDOLPH], the Senator from South Carolina [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. TALMADGE], the Senator from Texas [Mr. YARBOROUGH], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. ERVIN], is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from Georgia [Mr. TALMADGE], the Senator from Texas [Mr. YARBOROUGH], would each vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from West Virginia [Mr. RANDOLPH].

If present and voting, the Senator from Rhode Island would vote "nay" and the Senator from West Virginia would vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG], is absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from Delaware [Mr. BOGGS], the Senator from Kansas [Mr. CARLSON], the Senator from Michigan

[Mr. GRIFFIN], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON], are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON], would each vote "yea."

On this vote, the Senator from Delaware [Mr. BOGGS], is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 21, nays 46, as follows:

[No. 81 Leg.]

YEAS—21

Allott	Dominick	Murphy
Anderson	Fannin	Nelson
Bennett	Hickenlooper	Pearson
Byrd, W. Va.	Hruska	Prouty
Cotton	Javits	Saltonstall
Curtis	Jordan, Idaho	Williams, N.J.
Dirksen	Miller	Williams, Del.

NAYS—46

Bartlett	Holland	Neuberger
Bass	Jackson	Pell
Bayh	Kennedy, Mass.	Proxmire
Brewster	Kuchel	Robertson
Byrd, Va.	Long, Mo.	Russell, Ga.
Cannon	Long, La.	Smathers
Church	Mansfield	Smith
Clark	McCarthy	Stennis
Cooper	McGee	Symington
Douglas	McIntyre	Thurmond
Eastland	Monroney	Tower
Fulbright	Morse	Tydings
Gruening	Morton	Young, N. Dak.
Hart	Moss	Young, Ohio
Hartke	Mundt	
Hill	Muskie	

NOT VOTING—33

Aiken	Griffin	Mondale
Bible	Harris	Montoya
Boggs	Hayden	Pastore
Burdick	Inouye	Randolph
Carlson	Jordan, N.C.	Ribicoff
Case	Kennedy, N.Y.	Russell, S.C.
Dodd	Lausche	Scott
Ellender	Magnuson	Simpson
Ervin	McClellan	Sparkman
Fong	McGovern	Talmadge
Gore	Metcalf	Yarborough

So Mr. MILLER's amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILLIAMS of Delaware. Mr. President, I have another amendment, which I send to the desk and ask to have stated.

I do not think it will take many minutes because I am confident that the manager of the bill will accept the amendment. Certainly even he will agree that this amendment has merit.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill insert the following new section:

"SECTION —. Payments made pursuant to this Act shall not exceed \$5,000 to any one producer."

Mr. WILLIAMS of Delaware. Much has been said about this being an emergency piece of legislation to take care of the little farmer who as the result of rains cannot plant his crop. My amendment would allow payments under this act up to \$5,000 per producer.

This amendment does not affect payments under the price support program

as provided under the existing law or the amount of payments which this same farmer could collect under diversion payments. For example, Farmer X has 100 acres allotment and puts one-half of his acreage under the reserve program intending to plant one-half of his acreage in cotton. Under the amendment he can collect all of his acreage reserve payments and then collect up to \$5,000 on those acres affected by this bill.

When a man hits this \$5,000 ceiling he will in most instances have crossed the \$10,000 figure in total payments from the Government.

Surely subsidy payments in the amount of \$10,000 are sufficient to take care of all of the so-called little farmers who have been mentioned here so frequently in connection with this measure.

I think that we can dispose of this amendment very quickly by voice vote because I cannot see why there would be any objection to it. I now ask the manager of the bill if he will accept this amendment which would limit the bill to payments up to \$5,000 to any one farmer. That is a \$5,000 payment under this act. In effect the man who collects this \$5,000 will still be collecting his payments on reserved acreage. My proposed amendment only limits payments under this particular act to \$5,000.

Mr. BASS. I would have to say to my distinguished friend that I cannot accept his amendment.

In the first place this legislation does not deal with payments at all. All that this measure deals with is the problem of allowing someone to plant something on acres on which he was not allowed to plant because of disaster. I oppose the amendment.

Mr. WILLIAMS of Delaware. And on which he is collecting these payments approaching \$100 per acre.

Mr. BASS. I have not mentioned little farmers today, according to my memory. I have mentioned only farmers who were penalized because of natural disaster. We are trying to help the farmers, big and little, young and old.

Mr. WILLIAMS of Delaware. Under the existing law the farmers who have not planted their crops at all but can establish that they intend to plant, can collect these payments anyway.

In the case of the man who has an average yield of 2 bales an acre, under existing law he would collect around \$105 an acre, without ever having put a plow in the ground.

The only restriction under existing law is that after collecting these payments he cannot produce an income-producing crop on this same acreage.

The legislation that is before us would allow the same farmer to collect these payments and in addition to produce an income-producing crop, which might be soybeans, barley, or some other crop not under acreage control.

The amendment would provide that in those cases \$5,000 would be the maximum that he could collect from the Government on cotton, corn, or wheat land which he has never planted but on which he proceeds to produce a crop of soybeans under the support program. Certainly, this is a fair proposal.

Why pay any farmer \$100 an acre on his soybean acreage?

Mr. ANDERSON and Mr. BASS addressed the Chair.

Mr. WILLIAMS of Delaware. Mr. President, I yield to the Senator from New Mexico, first.

Mr. ANDERSON. Does the Senator from Delaware regard this more favorable treatment than on crops produced during the war? In wartime, if a man had cotton acreage and diverted it and planted soybeans he was able to do so.

Does this not provide, if a man planted cotton and it is washed away, that he would receive \$100 and some odd an acre and he could still plant soybeans?

Mr. WILLIAMS of Delaware. Under existing law he can do that if he has planted the crop. But, under existing law there is another section which states that the farmer who has not planted his crop but who through drought or heavy rains is not able to plant it and the Secretary of Agriculture so certifies, can collect these same payments. If he has had two bales production record he can under existing law collect approximately \$100 an acre, but he cannot collect these payments and then plant an income-producing crop. However, the pending legislation would allow him to collect these payments just the same. Even though he had never plowed his ground he would collect these payments and then in addition raise on the same acreage a soybean crop for which he would get price support.

Mr. ANDERSON. This provides, then, also, that a farmer who has a thousand acres of cotton can draw \$105 an acre in payment and still plant another crop?

Mr. WILLIAMS of Delaware. That is right. If this farmer has a thousand-acre allotment and it is a 2-bale average production, if it is raining in that area or if there is a drought and the Secretary and his committee recognize it as such, that farmer can collect \$100,000 from the Federal Government. In addition to that, he can grow on that same land another income-producing crop and get price supports on it; yes, sir.

Mr. ANDERSON. Farmers in the San Fernando Valley in California get a 4-bale average. Would they therefore receive the \$200-odd an acre?

Mr. WILLIAMS of Delaware. They would, based on the record given to me. If they have a 4-bale average, they would collect \$200-odd per acre. One bale would be \$52.50 per acre.

Mr. ANDERSON. And they can still plant another crop?

Mr. WILLIAMS of Delaware. They can still plant another crop and get price supports on it, if the pending bill should pass.

Mr. ANDERSON. I am curious to know whether this bill was considered carefully by the Committee on Agriculture and Forestry.

Mr. WILLIAMS of Delaware. It has never been considered by the Committee on Agriculture and Forestry in either House or Senate. The RECORD shows that. A few moments ago I quoted the CONGRESSIONAL RECORD for last Tuesday as to the proceedings in the House of Representatives which show that on that

date H.R. 15151, which is the pending bill, was introduced in the House of Representatives. The CONGRESSIONAL RECORD also shows that on that same day the bill passed the House of Representatives. It was stopped when it came to the Senate, and it has never been sent to a committee for consideration.

Mr. ANDERSON. Let me say to the Senator from Delaware that I have had some interest in trying to preserve good farm programs, but I certainly do not understand whether this is a good farm program.

Mr. WILLIAMS of Delaware. I believe that the pending bill would create many more inequities. For example, one farmer plans to grow soybeans and his crop is destroyed. He gets nothing under the existing law or the bill, but here is his neighbor who has a cotton, corn, or wheat allotment. This farmer can collect from \$50 up to as high as the Senator from New Mexico has indicated, \$200 an acre.

Mr. DOUGLAS. Mr. President, have the yeas and nays been ordered?

Mr. WILLIAMS of Delaware. They will be. I am wondering whether the Senator from Tennessee would not recognize the merits of the proposal and be willing to accept the \$5,000 limit on these payments?

Mr. BASS. I could not accept the amendment even if I thought it had merit, for reasons which I have been explaining all afternoon; namely, that this is an emergency measure. The farmers have had a disaster——

Mr. ANDERSON. Where?

Mr. BASS. If they do not get this pending legislation and get the privilege of planting this crop within the next 5 days, the time will be gone. Thus, what the Senator from Delaware is trying to do is to enter this as a delaying tactic.

This business of putting a ceiling on the amount of payments to farmers has been going on in Congress since the early days of the triple A, as to who can draw how much, when, and what. This is no time to make arguments in some places that the ceiling is a compensatory or a premium payment on a commodity. The proposed legislation does not change the amount of the payment in any degree. The only thing it would do, ladies and gentlemen, would be this: It would allow the farmer who is prevented from planting a crop because of a disaster, equal treatment with the farmer who had his crop destroyed immediately after planting because of a disaster.

This is equitable legislation. It is fair legislation. It does not change the basic agricultural law so far as payments are concerned. It does not change the amount of payments to any degree. Just to accept an amendment like this, with which I do not agree initially—and also which would send it back to the House of Representatives and then it would have to come back again to the Senate and perhaps require a conference—would absolutely eliminate the purpose of the bill, there being an emergency such as this.

Mr. WILLIAMS of Delaware. I am not trying to delay Senate action on the bill. I would be willing to enter into

a unanimous-consent agreement now that we vote, say, at 4 o'clock, on final passage of the bill, or, so far as I am concerned, to vote on it in 10 minutes after we accept the amendment.

Mr. BASS. The Senator from Tennessee is opposed to the amendment.

Mr. WILLIAMS of Delaware. The Senator from Tennessee will surely——

Mr. BASS. The Senator from Tennessee will not accept it.

Mr. WILLIAMS of Delaware. No?

Mr. BASS. No, I will not.

Mr. WILLIAMS of Delaware. Would the Senator accept a limit of \$25,000?

Mr. BASS. No. The Senator from Tennessee would not accept it if it were \$5, or \$500 million.

Mr. MILLER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I am glad to yield to the Senator from Iowa.

Mr. MILLER. I should like to point out to my friend from Tennessee that the emergency here is a shibboleth. If it was not a shibboleth, the Senator from Tennessee would have supported the Williams amendment which would have limited this to 1 year. I do not recall that the Senator from Tennessee did that.

Mr. BASS. I have made the statement initially that we have taken up the House bill today, to take care of the current emergency. If it had not been an emergency, the chairman of the Committee on Agriculture and Forestry would have called for hearings before. That is the colloquy he had with the Senator from Delaware last week, that it would be delayed for another week so that Senators could have an opportunity to look it over.

Today we bring in these amendments which are nothing more than delaying tactics. I am not in a position to accept any amendments regardless of how much I might like them, because I want to get the bill to the President. It is an emergency measure to help the farmers of America, to try to do something to permit them to take care of their own affairs.

Mr. SYMINGTON. Will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Missouri.

Mr. SYMINGTON. Let me say to my friend, the Senator from Iowa [Mr. MILLER], who calls this catastrophic emergency a shibboleth so far as the emergency is concerned, 55 percent of the cotton land in southeast Missouri either cannot be planted today, or is flooded out because of the heavy rains.

So far as Missouri is concerned, a neighboring State to Iowa, this is a very serious emergency indeed. It has been caused by unprecedented rains.

Mr. MILLER. Let me say to the Senator from Missouri that I am ready and willing to accept the fact that there is a serious situation in Missouri, as well as in other States, in cotton. But another 3 or 4 days is not going to make that much difference. The fact is, I know some areas presently in a flood situation. Even if the pending bill were passed right now, it would be another week before farmers could even start to get into the fields to grow another crop.

My point is that even with such an emergency, the Senator from Tennessee could have accepted the amendment for 1 year, which would allow us to get it over to the House where I am sure it would be acted on promptly.

Mr. SYMINGTON. The facts are that the distinguished Chairman of the Senate Committee on Agriculture and Forestry, the senior Senator from Louisiana [Mr. ELLENDER], because of the nature of this emergency, it having been passed by the House on the basis of said emergency, asked that the bill be passed before the just finished long weekend began. This was objected to at that time by my friend, the senior Senator from Delaware [Mr. WILLIAMS]. It was hoped that perhaps we could take it up the next day, but that was also objected to. So the Senate is debating it today, there being only a pro forma session yesterday. Thus, we have already lost 4 or 5 days, which in itself will be disastrous to some of the farmers in my State. I would hope the Senator from Iowa would not believe there is any "monkey business," any shibboleths about the nature of this very serious emergency.

Mr. WILLIAMS of Delaware. Mr. President—

Mr. HOLLAND. Mr. President, I should like to ask if the Senator from Delaware would permit me to suggest the absence of a quorum. I should like to get the lawyer for the Committee on Agriculture and Forestry and find out what his interpretation of this bill is.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. If the Senator from Delaware yields for that purpose, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. Mr. President, I am disturbed about the proposed bill, principally because it has not been referred to committee. However, I have talked to counsel for our committee, and have just finished reading the statement made by the chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] on May 26, relative to the proposed legislation. Senators will find it on pages 11002 and 11003 of the Record of May 26, 1966.

A reading of that statement will clearly indicate that the distinguished chairman of the Senate committee has made a study of the proposed bill, that he favors its enactment, and that he strongly supports it. Solely on the strength of that, although I do not favor proceeding with a bill of this importance without a hearing, I shall support the bill.

Mr. WILLIAMS of Delaware. Mr. President, that does not alter the situations. Let us consider a cotton farmer who has an average yield of 2 bales per acre. Suppose he has not planted his

crop, but he had intended to plant it. That is all that is necessary if the Secretary of Agriculture so recognizes. Suppose because of drought or excessive rainfall the farmer was unable to prepare his field for planting. Under existing law he will collect around \$105 per acre; but after collecting the money, he cannot put the same acreage into another income-producing crop. The proposed legislation would give him the right to collect that money and then to produce an income-producing crop, which primarily will be soybeans. This production would be in competition with the soybean farmer who is producing his crops without the benefit of such subsidy.

The proposed amendment merely limits to \$5,000 the amount of payments that a farmer can collect under the act.

Mr. ANDERSON. Mr. President, does the Senator not think that his figure is a little too low? I should like to see some limitation. However, I believe that a limitation of \$5,000 is not realistic. A figure of \$25,000 might be, but \$5,000 is rather low.

Mr. WILLIAMS of Delaware. I point out to the Senator from New Mexico that I want to be reasonable. However, in addition to the \$5,000 limitation imposed by the amendment the farmer could also collect about the same amount on diverted acres. The payments made to him under the price support program itself would not be affected. When we speak of \$5,000, we are in reality speaking of \$10,000 as a minimum.

Mr. ANDERSON. A great many people have 100 acres of cotton. It is not unusual for people to have 400 or 500 acres of cotton. I believe that a figure of \$25,000 would be realistic.

Mr. WILLIAMS of Delaware. I would be willing, if the Senator from Tennessee will accept a modification, to modify the amendment to a \$10,000 limit.

Mr. ANDERSON. If the Senator desires to amend the pending measure in this manner, he ought to include in his amendment a reasonable figure and not a figure that is too small.

Mr. WILLIAMS of Delaware. Would the Senator from New Mexico think that \$10,000 would be reasonable? With a figure of \$10,000, a man could collect a total \$20,000. He could collect \$10,000, under diversion payments and \$10,000 under the payments included in the pending legislation. Personally I prefer the lower figure.

If we increase the figure to \$10,000 an individual could still collect as high as \$20,000. He could collect \$10,000 under the diversion payments, which would not be affected by the amendment, and \$10,000 under the provisions of this bill.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MURPHY. Do I correctly understand that the pending measure provides that a farmer who has not prepared his ground or gone to any expense or trouble in preparing his crop and the farmer next door to him who may have prepared his ground and had his crop in would receive exactly the same payments in the event of a disaster?

Mr. WILLIAMS of Delaware. The Senator is correct. One farmer may have spent a considerable amount of money for seed and fertilizer, or perhaps even cultivated the land for 2 or 3 weeks.

Mr. MURPHY. Would the provision presently included in the pending legislation encourage a farmer to consider not planting if it looked like a bad spring?

Mr. WILLIAMS of Delaware. The Senator is correct. If there were any indication that the land might get too wet, instead of getting in the field the farmer might sit in the house and pray for more rain. Then he could collect dual payments.

Mr. MURPHY. Is that not a considerably different situation than that which we are talking about in which one man already has a crop in the ground, having prepared, plowed, and fertilized the land and has considerable time and money invested? That man would certainly be entitled to consideration in an emergency.

On the other hand, we would have a man who has done nothing with his land. Would these two men be entitled to the same consideration? Should not the man who has done his preparation and work be entitled to more than the man who has decided that he would not prepare his crop?

Would not the pending legislation make it possible for a man who has not prepared his ground to collect his money in a situation of emergency, such as rain or drought? As I understand it, a figure of \$100 an acre has been mentioned with regard to cotton. That would be 10-percent income on \$1,000 if my mathematics is correct. In some areas the figure might be double that amount because the acreage is cheaper. However, the man could go ahead and farm another crop and collect the price support from the second crop without any penalty being exacted for the receipt of the price support paid to him for not planting the first crop?

Mr. WILLIAMS of Delaware. The Senator is correct. The man would receive price support on his second crop, such as soybeans.

The point that the Senator from California makes in connection with the two farmers was considered by the Committee on Agriculture and Forestry last year when it acted on the 1965 Agricultural Act. Significantly this same proposal was rejected then. The matter was rejected then because at that time they decided that it was inequitable. Furthermore, this is not an emergency situation, as evidenced by the fact that the Senate rejected overwhelmingly this afternoon an effort to limit the bill to the 1966 crop.

In addition to that, the bill would allow up to \$39 an acre extra subsidy to the wheat farmer who has an average production of wheat of 30 bushels. That farmer could receive up to \$39 an acre for wheat that he never planted. After collecting this money he could plant another crop, barley or soybeans. A corn farmer in Nebraska, Iowa, Delaware, or in any other State can, if he has signed under the program, collect as high as \$30

an acre for a crop that he has never planted and then plant the same acreage in soybeans.

There are thousands of American farmers who grow nothing but soybeans. They are not protected either under the existing law or under the pending bill. If they are washed out they just go bankrupt.

Mr. MURPHY. If they are not washed out, they are penalized in their operation to the extent that the other farmers who have been washed out collected from the Government before planting the soybeans.

Mr. WILLIAMS of Delaware. The independent farmer would be penalized in two ways. As a taxpayer he must contribute to the payment of \$105 per acre that the cotton farmer will be receiving when the cotton is not planted. In addition to that, the soybeans that would be produced on diverted acreage would be sold in the market in competition next fall with the crop of the independent soybean grower. So, he would be caught both ways.

Mr. MURPHY. The inequity is against the American taxpayer who must pay the bill.

Mr. WILLIAMS of Delaware. There is no question about that. As was pointed out in the example a moment ago, one individual was cited as having over 1,000 acres of cotton with an average yield of 4 bales of cotton per acre. That particular individual could collect up to \$200 per acre from the Federal Government on land that he has never plowed or planted. After he collects the \$200,000 from the Federal Government, he can then raise 1,000 acres of soybeans under the price-support program, and the taxpayers will support that endeavor.

I will modify my amendment along the lines of the suggestion of the Senator from New Mexico in order to get support. I really believe that \$5,000 is very reasonable, but I shall modify my amendment to \$10,000. The amendment, as modified, would then give to each individual farmer as high as \$20,000 because after he collects his \$10,000 on his acreage which was not planted he can also collect a comparable amount on his diverted acreage. Certainly a \$20,000 payment to an individual farmer for a crop that he does not intend to produce is equitable enough when we consider that in addition to that he can use the same acreage to produce another crop.

In order to make some progress, I modify my amendment to change the "\$5,000" to "\$10,000".

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Delaware. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUE], the Senator from Washington [Mr. MAGNUSON], the Senator from South Dakota [Mr. McGOVERN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Maryland [Mr. TYDINGS], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTROYA], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that the Senator from North Carolina [Mr. ERVIN] is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from South Dakota [Mr. McGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] would each vote "nay."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Rhode Island would vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG] is absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from Delaware [Mr. BOGGS], the Senator from Kansas [Mr. CARLSON], the Senator from Michigan [Mr. GRIFFIN], the Senator from Pennsylvania [Mr. SCOTT] and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 42, nays 27, as follows:

[No. 82 Leg.]

YEAS—42

Allott	Dirksen	Morton
Anderson	Dominick	Mundt
Bartlett	Douglas	Murphy
Bayh	Gruening	Muskie
Bennett	Hartke	Nelson
Brewster	Hickenlooper	Pearson
Byrd, Va.	Hruska	Pell
Cannon	Jackson	Prouty
Case	Javits	Robertson
Church	Jordan, Idaho	Saltonstall
Clark	Kennedy, Mass.	Smith
Cooper	Kennedy, N.Y.	Williams, N.J.
Cotton	McIntyre	Williams, Del.
Curtis	Miller	Young, Ohio

NAYS—27

Bass	Long, Mo.	Proxmire
Byrd, W. Va.	Long, La.	Randolph
Eastland	Mansfield	Russell, Ga.
Fannin	McCarthy	Stennis
Fulbright	McClellan	Symington
Hart	McGee	Thurmond
Hill	Monroney	Tower
Holland	Moss	Yarborough
Kuchel	Neuberger	Young, N. Dak.

NOT VOTING—31

Alken	Harris	Pastore
Bible	Hayden	Ribicoff
Boggs	Inouye	Russell, S.C.
Burdick	Jordan, N.C.	Scott
Carlson	Lausche	Simpson
Dodd	Magnuson	Smathers
Ellender	McGovern	Sparkman
Ervin	Metcalfe	Talmadge
Fong	Mondale	Tydings
Gore	Montoya	
Griffin	Morse	

So the modified amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BASS. Mr. President, since there are no more amendments pending on the legislation presently under consideration, I wonder if we could get an agreement on a time to vote on final passage of the bill.

Mr. WILLIAMS of Delaware. Surely. I will agree to a vote after we get through with the discussion.

Mr. BASS. Would the Senator agree to a vote on final passage at 4:30?

Mr. WILLIAMS of Delaware. I have no intention of delaying the bill and I have not been delaying it. I am only trying to educate the Senate on what the bill really does. I believe we are making progress.

Since the preceding votes several Senators have indicated that they misunderstood one of the votes and now agree that this proposal should be limited to 1 year.

I wonder if the Senator from Tennessee would agree to our resubmitting the amendment for a 1-year limit on this measure or to the emergency described?

Mr. BASS. No; the Senator is committed to the bill in its present form and would not be in a position to enter into any such agreement.

Mr. WILLIAMS of Delaware. Then I would say that the Senator answered his own question as to agreement.

Mr. President, I send to the desk an amendment which would limit the bill to 2 years.

I really think it should be limited to 1 year for certainly no man can foresee an emergency 4 years in advance.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill insert the following new section:

"SEC. —. The amendments made by this Act shall be effective for the 1966 and 1967 crops only."

FAIR PACKAGING AND LABELING ACT

Mr. COTTON. Mr. President, will the Senator yield to me for a moment?

Mr. WILLIAMS of Delaware. I yield.

Mr. COTTON. Mr. President, when we convened today, the pending business before the Senate was the so-called truth in packaging bill, S. 985, reported by the Committee on Commerce.

Now, some of the members of our committee and others, anticipating that that measure would be reached today—at least debated, and a vote had on a rather important amendment either today or the first thing tomorrow—had made their plans accordingly.

The Senator from New Hampshire was not present when the Senate came to order and was not aware of the fact that this was going to be set aside for this argument about the cotton-soybean problem.

The result has been that this day has been eaten up, and clearly the rest of it is going to be eaten up, on this cotton-soybean measure. We are not going to have any opportunity for debate or votes on the packaging bill. Some of those who had expected to be present and have an opportunity to vote on a rather important amendment to the packaging bill, will no longer be present. Some Senators have already had to leave the Chamber to keep appointments and they will not be back this week.

I am sure that the majority leader understands the Senator from New Hampshire rarely causes trouble in the matter of the calendar and never for the purpose of being obstructive. But the truth in packaging measure was attacked in the Committee on Commerce—and I think Senators on both sides of the committee will bear me out—in a spirit of cooperation and not antagonism.

We all felt there were merits in the bill. Most of us feel there are merits in the bill. Certain elements were justified and should be strengthened, and that should be done.

While we were in strong disagreement with respect to some provisions of the bill, we helped strengthen the bill in other particulars.

Then we found that the proponents of the bill were absolutely adamant in yielding an inch on some parts of the bill that we considered extremely dangerous legislation.

Now, having consumed today, when we expected to consider what I predict will be a highly controversial measure, I can foresee that when evening comes,

and this foray on cotton and soybeans is ended, that as a matter of course the leadership is going to call up the truth-in-packaging measure, make it the pending business, and we will be reaching a vote on the important amendments when Senators who had anticipated being here will not be present.

I think it is only fair to say that if unanimous consent is desired to make the truth-in-packaging measure the pending business that the Senator from New Hampshire will be constrained to object, unless we can have some agreement so that we have our people present. Otherwise, the Senator from New Hampshire may have some rather extended comments to make on the wisdom and the equity of putting this back as the pending business of the Senate after it has been thrown aside and an entire day consumed on another measure.

I felt it only fair to say this at this time, before the debate is resumed.

I thank the Senator from Delaware for yielding to me.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. COTTON. I do not have the floor, but I yield.

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Mr. President, it was anticipated that the truth-in-packaging bill would be taken up at the conclusion of the morning business today.

Unfortunately, the distinguished Senator from Washington [Mr. MAGNUSON] had to be in New York, I understand, where his wife is in. He had to look after her, and he was not due back until late this afternoon.

After discussion of the matter with the distinguished minority leader, it was agreed that instead of taking the matter up today it would be advisable, in view of the development relative to the Senator from Washington [Mr. MAGNUSON], that it be taken up tomorrow. That is all that I can offer in explanation at this time.

Mr. COTTON. The Senator from New Hampshire understands the situation in regard to the distinguished chairman of the Committee on Commerce. I would be the last person to object to any consideration being given to him. We most certainly could not take up a bill and have a vote, even on the amendments, without the chairman present, and that is thoroughly understood.

There will be some rather extended debate before we get to a vote on the first amendment.

Even though the distinguished Senator from Washington [Mr. MAGNUSON] were not present we could at least have gotten much of the debate disposed of so that we could have voted tomorrow and those who are leaving would have been present.

Having failed to do that, I should say there would be little prospect of coming to a vote tomorrow at least on the most important amendment. Unless the voting goes over until next week, the Senator from New Hampshire will have to persist in discussing rather deeply the situation with which we are confronted, when the question comes to putting the measure back before the Senate. I am sorry, but I felt that in fairness I should

call this matter to the attention of the majority leader.

Mr. MANSFIELD. I appreciate the statement of the distinguished Senator from New Hampshire. I feel certain that he appreciates the delicate position in which the chairman of the committee [Mr. MAGNUSON] found himself.

After discussing the situation with the distinguished minority leader—in fact, it was the minority leader's suggestion—it was agreed that because of those circumstances, we would not attempt to take up the bill this afternoon.

Would it be agreeable to the Senator from New Hampshire to have the Senate convene at 10 o'clock tomorrow morning? Would that help any?

Mr. COTTON. No. The members of the committee who came to the Senate today either have left or will leave tonight. That will make it extremely difficult to take action tomorrow.

Mr. HRUSKA. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. I might also suggest to the majority leader that if the amendment to be proposed is that of the Senator from New Hampshire, as I presume it will be, there will be quite a bit of discussion. That amendment is at the center, at the core, of the matter. If it is adopted, I have one idea as to the future course of the legislation. If it is rejected, there will be additional discussion, including a motion to recommit the bill to the Committee on the Judiciary for a consideration of the antitrust aspects. I would not hold out any hope for a vote to come tomorrow, whether the session of the Senate began at 10 o'clock or 12 o'clock, for the subject will be an amendment to be proposed by the Senator from New Hampshire.

Mr. MANSFIELD. I can read the handwriting on the wall.

Mr. COTTON. I would add, for the benefit of the distinguished majority leader, that the attitude of the Senator from New Hampshire is, frankly, animated by the fact that we could have had a bill. The entire committee could have supported it if we could have had a meeting of the minds. We were expected to make all the concessions; the other side would not move an inch. Therefore, we intend to fight for this amendment to the bitter end.

If it is adopted, there will be no question about the passage of the bill. It is an amendment that I am sure—not sure, no one could be—that I would predict the House would accept. If it is not accepted, the bill will very well pass the Senate, but whether it will become law is another matter. I do not want to get into the merits.

In view of the fact that through long hours and days the committee worked hard to come in with a kind of bill which would be constructive and which would take care of the problem that has to be taken care of, and which would not put any Member of this body on the spot and being pointed at with the finger of scorn because he did not have due regard for the consumers and housewives of America. But, it is insisted that we have a "going" issue instead of a bill. If that

is what the insistence is, then that is what we are going to have, and I am going to start when the motion comes to put this bill before the Senate.

Mr. HART. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I do not have the floor.

Mr. HART. Before the Senator from New Hampshire leaves—

Mr. COTTON. I am not leaving.

Mr. HART. I wonder whether the Senator from New Hampshire would permit me to suggest that it might not be completely fair to say that the adamancy was on one side only.

One need only review the bill as it was worked on by the committee to recognize not only the correctness of the statement of the Senator from New Hampshire that there is a conscientious effort to give on one side, but there was also, in fact, a giving on the other side as well.

Mr. COTTON. Let me say to the Senator that nothing in my remarks was intended or should be construed as reflecting upon the distinguished Senator from Michigan, or those with whom he is associated.

I admire the Senator from Michigan for the dedication which he has demonstrated to his bill during several sessions of Congress. I was not even suggesting that he was not thoroughly conscientious and inspired by his deepest convictions. The fact remains that this is a matter to be discussed, and it is a matter which will be discussed at some length. The fact also remains that we went just as far as we could go—a long, long way—and then we prepared to go into the matter of the amendment.

The way it is going to work out is that we are going into the matter with our troops absent. That is something I do not intend to have happen. However, nothing I have said could possibly be intended or construed as reflecting on the distinguished Senator from Michigan.

Mr. HART. We do not want to have the Senator from New Hampshire going into the matter without troops either. My point was that twice the Senator commented on the adamancy of one side, his willingness to give, and the fact that he had given. Both sides have given on this bill, and I believe that the Record should be straight on it so far as each side felt that it could go.

Mr. COTTON. Let me say, in reply to that statement, that no church or other charitable institution could exist very long on the givings of the Senator's side of the committee, even though it is inspired by deepest convictions.

Mr. MANSFIELD. I would hope that the Senator would not push his promise to talk on just taking up this bill. The Senator will recall that when it was laid aside today, a unanimous consent was made by the distinguished Senator from Tennessee [Mr. Bass] which was objected to by the Senator from Iowa [Mr. MILLER]. The Senator from Tennessee moved that it be laid aside, and that motion was agreed to, which automatically displaced the truth-in-packaging bill as the pending business.

The reason I am asking the Senator from New Hampshire to reconsider his position is on the basis of the fact that both the minority leader and I thought we were doing the Senator from Washington, not a favor, but at least giving him consideration to a private problem he had relative to getting his wife down from New York in order to undergo surgery.

It would be the same if after we did this we were faced with a proposal that we could not even put down as the pending business what I would have put down as the pending business at the time the move was made.

Mr. COTTON. If the Senator from Montana will permit me, let me say that although the Senator from New Hampshire had no knowledge of all this, and had every expectation and hastened back from New Hampshire to be in the Senate for discussion of the bill today.

Of course, the distinguished majority leader and the distinguished minority leader would show consideration to the chairman of the committee, whose wife will undergo surgery. We would all want them to do that. We cannot object to that, of course. But, that having occurred, and the situation coming as it does, if the vote comes on this amendment before the termination of this week, we are not going to feel that we have had our day in court.

If we can debate the bill and vote on it promptly next Monday, that is all right; but if we are going to be forced to a vote on it when everyone is leaving Thursday or Friday, that is something which the Senator from New Hampshire does not wish to have happen. Even though it was done because of consideration for the distinguished chairman of the committee, that is something which I intend to prevent.

Mr. DIRKSEN. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I am glad to yield.

Mr. DIRKSEN. I understand that there are 10, perhaps 11 amendments which will be offered, many of them clarifying and not all of major consequence. But one amendment is. Would the distinguished Senator be willing to agree to have a vote come on that one amendment on Monday next, and to dispose of, in so far as possible, the other amendments by that time?

I may say that sometime before third reading, I propose to ask the Senate to agree to refer the bill back to the Committee on the Judiciary. I am prepared to speak at some length, not overly long, on that matter, because I think the very amendment the Senator refers to now, raises monopoly features in the non-price field that dictate in the Judiciary Committee that we should not only have a further look at it, but I think that we should also hear some testimony from the Chairman of the Federal Trade Commission, from the Attorney General, and perhaps a few other select witnesses. That is the reason for the motion to refer.

Mr. COTTON. The only observation I wish to make about the suggestion of

the distinguished minority leader is this: These so-called amendments that are of a clarifying or corrective nature, and which he suggests we take up the rest of this week are, all of them, to that portion of the bill which, should the principal amendment, my own amendment, be adopted, would be deleted from the bill.

If we proceed on the assumption—which I suppose perhaps we can—that the majority side has the votes, and that when the trumpet is blown they will flock in and win, I suppose we can go ahead. But I would hate to start an honest fight, having a deep conviction, on the principle that I am going to lose because I am going to spend a couple of days sewing up and healing up the cuts before I receive them. None of these amendments would be necessary if the principal amendment were adopted.

Mr. DIRKSEN. How much time does the Senator anticipate taking in the discussion of the bill?

Mr. COTTON. There will be plenty of general discussion on the bill. I am not trying to put out any bait, but should my amendment be adopted, I think the bill would proceed to passage as if it were on slick grease, and that is all there would be to it. But if my amendment is not adopted, I do not know what may happen. I do know one thing. If it is not adopted, there are several other vital amendments to be offered. I am sure there will be rather prolonged discussion.

Mr. DIRKSEN. If we proceeded on a normal basis, starting at noon, having the usual morning hour, Thursday and Friday could well be expended by general discussion of other amendments; so that, by logic, that amendment would go over until Monday, anyway.

Mr. COTTON. And then we will have a situation where we have a half hour to present a vital amendment, having argued for hours on it before an empty chamber.

It is important to get the matter before the entire Senate. It is not a minor matter. There is a rather deep principle involved. The Senator from New Hampshire feels very deeply we are marching into a situation where we are not going to have an opportunity to be heard on this matter.

If we are going to indulge in merely useless debate, we may as well close the debate on the bill. If debate we must have, debate we can have the rest of this week.

PROPOSED PLANTING OF ALTERNATE CROPS ON UNPLANTED ACREAGE

The Senate resumed the consideration of the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

Mr. WILLIAMS of Delaware. Mr. President, for the information of the Senate, I announce that so far as the Senator from Delaware is concerned the Senate can vote in 3 minutes. The issue of a time limit was debated earlier today when a one-year proposal was rejected.

The bill we are now considering will last for the duration of the Agricultural Act, which is 4 years. I offered an amendment earlier which would have limited it to 1 year. Unfortunately that amendment was rejected. I understand there were several Senators who misunderstood that proposal and will now vote for a 2-year limitation.

Under the parliamentary situation, I can now only offer an amendment limiting the period to 2 years. Therefore, this amendment would place a 2-year limit on this bill.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUE], the Senator from Washington [Mr. MAGNUSON], the Senator from South Dakota [Mr. McGOVERN], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Connecticut [Mr. RIBICOFF], are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Virginia [Mr. ROBERTSON], the Senator from South Carolina [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Georgia [Mr. TALMADGE], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. ERVIN], is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from South Dakota [Mr. McGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Georgia [Mr. TALMADGE], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG] is absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from Delaware [Mr. BOGGS], the Senator from Kansas [Mr. CARLSON], the Senator from Michigan [Mr. GRIFFIN], the Senator from Pennsylvania [Mr. SCOTT], and the Senator

from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from New York [Mr. JAVITS] is detained on official business.

If present and voting, the Senator from New York [Mr. JAVITS], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 33, nays 36, as follows:

[No. 83 Leg.]

YEAS—33

Allott	Fannin	Morton
Bennett	Hartke	Mundt
Brewster	Hickenlooper	Murphy
Byrd, W. Va.	Hruska	Muskie
Cannon	Jordan, Idaho	Pearson
Case	Kennedy, Mass.	Prouty
Cooper	Kennedy, N.Y.	Saltonstall
Cotton	Kuchel	Smith
Curtis	McIntyre	Thurmond
Dirksen	Miller	Tower
Dominick	Morse	Williams, Del.

NAYS—36

Anderson	Holland	Pell
Bartlett	Jackson	Proxmire
Bass	Long, Mo.	Randolph
Bayh	Long, La.	Russell, Ga.
Byrd, Va.	Mansfield	Smathers
Church	McCarthy	Stennis
Clark	McClellan	Symington
Douglas	McGee	Tydings
Eastland	Monroney	Williams, N.J.
Fulbright	Moss	Yarborough
Hart	Nelson	Young, N. Dak.
Hill	Neuberger	Young, Ohio

NOT VOTING—31

Aiken	Gruening	Montoya
Bible	Harris	Pastore
Boggs	Hayden	Ribicoff
Burdick	Inouye	Robertson
Carlson	Javits	Russell, S.C.
Dodd	Jordan, N.C.	Scott
Ellender	Lausche	Simpson
Ervin	Magnuson	Sparkman
Fong	McGovern	Talmadge
Gore	Metcalf	
Griffin	Mondale	

So the amendment of Mr. WILLIAMS of Delaware was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. WILLIAMS of Delaware. On the passage of the bill, I ask for the yeas and the nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUE], the Senator from Washington [Mr. MAGNUSON], the Senator from South Dakota [Mr. McGOVERN],

the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Virginia [Mr. ROBERTSON], the Senator from South Carolina [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. TALMADGE], are necessarily absent.

I further announce that the Senator from North Carolina [Mr. ERVIN], is absent because of illness.

On this vote, the Senator from Tennessee [Mr. GORE], is paired with the Senator from Nebraska [Mr. HRUSKA].

If present and voting, the Senator from Tennessee would vote "Yea" and the Senator from Nebraska would vote "nay."

I further announce that, if present and voting the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from South Dakota [Mr. McGOVERN], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. TALMADGE], would each vote "Yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG] is absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from Delaware [Mr. BOGGS], the Senator from Kansas [Mr. CARLSON], the Senator from Michigan [Mr. GRIFFIN] the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from New York [Mr. JAVITS] are detained on official business.

If present and voting, the Senator from New York [Mr. JAVITS], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "nay."

On this vote, the Senator from Kansas [Mr. CARLSON] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from Kansas

would vote "yea" and the Senator from Delaware would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKAL] is paired with the Senator from Tennessee [Mr. GORE]. If present and voting, the Senator from Nebraska would vote "nay" and the Senator from Tennessee would vote "yea."

The result was announced—yeas 56, nays 10, as follows:

[No. 84 Leg.]

YEAS—56

Allott	Hart	Murphy
Anderson	Hartke	Muskie
Bartlett	Hill	Nelson
Bass	Holland	Pearson
Bayh	Jackson	Pell
Brewster	Kennedy, Mass.	Proxmire
Byrd, Va.	Kennedy, N.Y.	Randolph
Byrd, W. Va.	Kuchel	Smathers
Cannon	Long, Mo.	Smith
Church	Long, La.	Stennis
Clark	Mansfield	Symington
Cooper	McCarthy	Thurmond
Curtis	McClellan	Tower
Dirksen	McGee	Tydings
Dominick	Monroney	Williams, N.J.
Douglas	Morse	Yarborough
Eastland	Morton	Young, N. Dak.
Fannin	Moss	Young, Ohio
Fulbright	Mundt	

NAYS—10

Bennett	Jordan, Idaho	Saltonstall
Case	McIntyre	Williams, Del.
Cotton	Miller	
Hickenlooper	Prouty	

NOT VOTING—34

Aiken	Harris	Neuberger
Bible	Hayden	Pastore
Boggs	Hruska	Ribicoff
Burdick	Inouye	Robertson
Carlson	Javits	Russell, S.C.
Dodd	Jordan, N.C.	Russell, Ga.
Ellender	Lausche	Scott
Ervin	Magnuson	Simpson
Fong	McGovern	Sparkman
Gore	Metcalf	Talmadge
Griffin	Mondale	
Gruening	Montoya	

So the bill (H.R. 15151) was passed.

Mr. BASS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BASS. Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. HOLLAND, Mr. EASTLAND, Mr. TALMADGE, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. COOPER conferees on the part of the Senate.

Mr. WILLIAMS of Delaware. Mr. President, my position on the legislation is very clear. I regret that the bill has been passed. Nevertheless, the Senate did adopt one very important amendment which would provide limitations on such subsidy payments. To the Senator from Delaware this is a very important amendment, and as far as I can recall, this establishes an important precedent.

Therefore, may I have assurance that I shall be notified when the conference report is returned to the Senate?

Mr. BASS. I should have to inform the Senator that he would have to receive that assurance from the majority leader. I am not one of the conferees.

Mr. WILLIAMS of Delaware. Then, may I have it understood with the leadership that when the conference report is returned to the Senate I shall be notified in advance?

Mr. MANSFIELD. Certainly.

Mr. BASS. Although I am not on the the conference committee, as I have stated here many times today this is an emergency piece of legislation. I hope that the Senator will be advised. If possible, I hope that the conference committee can meet on tomorrow so that the legislation can be speedily enacted into law.

Mr. WILLIAMS of Delaware. If the conferees should decide to reduce the \$10,000 to \$5,000 I shall support the conference report because it would be a step in the right direction. However, those who are interested in the legislation may be well advised to see that the amendment is retained.

Mr. BASS. I have no advice to give to the Senator from Delaware on that.

FAIR PACKAGING AND LABELING ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1151, S. 985, that it be laid before the Senate and again made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Fair Packaging and Labeling Act".

DECLARATION OF POLICY

SEC. 2. Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate price comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING

SEC. 3. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined in this Act) for distribution in commerce, or for any persons (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this Act and of

regulations promulgated under the authority of this Act.

(b) The prohibition contained in subsection (a) shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

REQUIREMENTS AND PROHIBITIONS

SEC. 4. (a) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity unless in conformity with regulations which shall be established by the promulgating authority pursuant to section 6 of this Act and which shall provide that:

(1) The commodity shall bear a label specifying the identity of the commodity and the name and place of business of the manufacturer, packer, or distributor; and

(2) The net quantity of contents (in terms of weight, measure, or numerical count) shall be separately and accurately stated in a uniform location upon the principal display panel of that label; and

(3) The separate label statement of net quantity of contents appearing upon or affixed to any package—

(A) if expressed in terms of weight or fluid volume, on any package of a consumer commodity containing less than four pounds or one gallon, shall be expressed in ounces or in whole units of pounds, pints, or quarts (avoirdupois or liquid, whichever may be appropriate);

(B) shall appear in conspicuous and easily legible type in distinct contrast (by typography, layout, color, embossing, or molding) with other matter on the package;

(C) shall contain letters or numerals in a type size which shall be (i) established in relationship to the area of the principal display panel of the package, and (ii) uniform for all packages of substantially the same size; and

(D) shall be so placed that the lines of printed matter included in that statement are generally parallel to the base on which the package rests as it is designed to be displayed.

(b) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity if any qualifying words or phrases appear in conjunction with the separate statement of the net quantity of contents required by subsection (a), but nothing in this subsection or in paragraph (2) of subsection (a) shall prohibit supplemental statements, at other places on the package, describing in non-deceptive terms the net quantity of contents: *Provided*, That such supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of the commodity contained in the package.

ADDITIONAL REGULATIONS

SEC. 5. (a) The authority to promulgate regulations under this Act is vested in (A) the Secretary of Health, Education, and Welfare (referred to hereinafter as the "Secretary") with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and (B) the Federal Trade Commission (referred to hereinafter as the "Commission") with respect to any other consumer commodity.

(b) If the promulgating authority specified in this section finds that, because of the nature, form, or quantity of a particular consumer commodity, or for other good and sufficient reasons, full compliance with all the

requirements otherwise applicable under section 4 of this Act is impracticable or is not necessary for the adequate protection of consumers, the Secretary or the Commission (whichever the case may be) shall promulgate regulations exempting such commodity from those requirements to the extent and under such conditions as the promulgating authority determines to be consistent with section 2 of this Act.

(c) Whenever the promulgating authority determines that regulations containing prohibitions or requirements other than those prescribed by section 4 are necessary to prevent the deception of consumers or to facilitate price comparisons as to any consumer commodity, such authority shall promulgate with respect to that commodity regulations effective to—

(1) establish and define standards for characterizing the size of a package enclosing any consumer commodity, which may be used to supplement the label statement of net quantity of contents of packages containing such commodity, but this paragraph shall not be construed as authorizing any limitation on the size, shape, weight, dimensions, or number of packages which may be used to enclose any commodity;

(2) establish and define the net quantity of any commodity (in terms of weight, measure, or count) which shall constitute a serving, if that commodity is distributed to retail purchasers in a package or with a label which bears a representation as to the number of servings provided by the net quantity of contents contained in that package or to which that label is affixed;

(3) regulate the placement upon any package containing any commodity, or upon any label affixed to such commodity, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price or that a retail sale price advantage is accorded to purchasers thereof by reason of the size of that package or the quantity of its contents; and

(4) require (consistent with requirements imposed by or pursuant to the Federal Food, Drug and Cosmetic Act, as amended) that information with respect to the ingredients and composition of any consumer commodity (other than information concerning proprietary trade secrets) be placed upon packages containing that commodity.

(d) Whenever the promulgating authority determines, after a hearing conducted in compliance with section 7 of the Administrative Procedure Act, that the weights or quantities in which any consumer commodity is being distributed for retail sale are likely to impair the ability of consumers to make price per unit comparisons such authority shall—

(1) publish such determination in the Federal Register; and

(2) promulgate, subject to the provisions of subsections (e), (f), and (g), regulations effective to establish reasonable weights or quantities, and fractions or multiple thereof, in which any such consumer commodity shall be distributed for retail sale.

(e) At any time within sixty days after the publication of any determination pursuant to subsection (d)(1) as to any consumer commodity, any producer or distributor affected may request the Secretary of Commerce to participate in the development of a voluntary product standard for such commodity under the procedures for the development of voluntary product standards established by the Secretary pursuant to section 2 of the Act of March 3, 1901 (31 Stat. 1449, as amended; 15 U.S.C. 272). Such procedures shall provide adequate manufacturer, distributor, and consumer representation. Upon the filing of any such request the Secretary of Commerce shall transmit notice thereof to the authority which has caused notice of such determination to be published

(f) No regulation promulgated pursuant to subsection (d)(2) with respect to any consumer commodity may—

(1) vary from any voluntary product standard in effect with respect to that consumer commodity which was published—

(A) before the publication of any determination with respect to that consumer commodity pursuant to subsection (d)(1);

(B) within one year after the filing pursuant to this section of a request for the development of a voluntary product standard with respect to that consumer commodity; or

(C) within such period of time (not exceeding eighteen months after the filing of such request) as the promulgating authority may deem proper upon a certification by the Secretary of Commerce that such a voluntary product standard with respect to that consumer commodity is under active consideration and that there are presently grounds for belief that such a standard for that commodity will be published within a reasonable period of time;

(2) establish any weight or measure in any amount less than two ounces;

(3) preclude the use of any package of particular dimensions or capacity customarily used for the distribution of related commodities of varying densities, except to the extent that it is determined that the continued use of such package for such purpose is likely to deceive consumers; or

(4) preclude the continued use of particular dimensions or capacities of returnable or reusable glass containers for beverages in use as to the effective date of the Act.

(g) In the promulgation of regulations under subsection (d)(2) of this section, due regard shall be given to the probable effect of such regulations upon—

(1) the cost of the packaging of the commodities affected;

(2) the availability of any commodity in a reasonable range of package sizes to serve consumer convenience;

(3) the materials used for the packaging of the affected commodities;

(4) the weights and measures customarily used in the packaging of the affected commodities;

(5) competition between containers made of different types of packaging material.

PROCEDURE FOR PROMULGATION OF REGULATIONS

SEC. 6. (a) Regulations promulgated by the Secretary under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, pursuant to the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)). Hearings authorized or required for the promulgation of any such regulations by the Secretary shall be conducted by the Secretary or by such officer or employee of the Department of Health, Education, and Welfare as he may designate for that purpose.

(b) Regulations promulgated by the Commission under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, by proceedings taken in conformity with the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)) in the same manner, and with the same effect, as if such proceedings were taken by the Secretary pursuant to subsection (a) of this section. Hearings authorized or required for the promulgation of any such regulations by the Commission shall be conducted by the Commission or by such officer or employee of the Commission as the Commission may designate for that purpose.

(c) In carrying into effect the provisions of this Act, the Secretary and the Commission are authorized to cooperate with any department or agency of the United States, with any State, Commonwealth, or posses-

sion of the United States, and with any department, agency, or political subdivision of any such State, Commonwealth, or possession.

(d) No regulation adopted under this Act shall preclude the continued use of returnable or reusable glass containers for beverages in inventory or with the trade as of the effective date of this Act.

ENFORCEMENT

SEC. 7. (a) Any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321), and which is introduced or delivered for introduction into commerce in violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic Act, but the provisions of section 303 of that Act (21 U.S.C. 333) shall have no application to any violation of section 3 of this Act.

(b) Any violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, with respect to any consumer commodity which is not a food, drug, device, or cosmetic, shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act and shall be subject to enforcement under section 5(b) of the Federal Trade Commission Act.

(c) In the case of any imports into the United States of any consumer commodity covered by this Act, the provisions of sections 4 and 5 of this Act shall be enforced by the Secretary of the Treasury pursuant to section 801 (a) and (b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381).

REPORTS TO THE CONGRESS

SEC. 8. Each officer or agency required or authorized by this Act to promulgate regulations for the packaging or labeling of any consumer commodity, or to participate in the development of voluntary product standards with respect to any consumer commodity under procedures referred to in section 5(e) of this Act, shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this Act during the preceding fiscal year.

COOPERATION WITH STATE AUTHORITIES

SEC. 9. (a) A copy of each regulation promulgated under this Act shall be transmitted promptly to the Secretary of Commerce, who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal regulation of the labeling of consumer commodities.

(b) Nothing contained in this section shall be construed to impair or otherwise interfere with any program carried into effect by the Secretary of Health, Education, and Welfare under the provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

DEFINITIONS

SEC. 10. For the purpose of this Act—

(a) The term "consumer commodity", except as otherwise specifically provided by this subsection, means any food, drug, device, or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
(NOT TO BE QUOTED OR CITED)

Issued June 3, 1966
For actions of June 2, 1966
89th-2nd; No. 91

CONTENTS

Acreage allotments.....38	Government operations...22	Public debt.....5
Adjournment.....13,14,29	Imports.....34	Public works.....36
Buildings.....3	Information.....39	Reclamation.....6
Contracts.....40	Investigation.....43	Recreation.....9
Dairy products.....34	Labeling.....18	Research.....16,24
Defense production.....3	Legislative program....13	Research animals....28,32
Disaster relief.....7,26	Library services.....8	Saline water.....24
Education.....35	Loans.....21,30	School milk.....27
Electrification.....17	Military training.....42	Super grades.....4
Fisheries.....15	Natural resources.....25	Tobacco.....2,38
Food.....10	Packaging.....18	Transportation.....11,41
Food additives.....19	Parity prices.....1	Veterinary corps.....10
Food for freedom.....3	Participation sales....30	Water.....20
Food prices.....33	Personnel.....4	Wheat.....23
Foreign trade.....12,23	Poverty.....37	World food.....31

HIGHLIGHTS: Senate debated fair packaging-labeling bill. House Rules Committee cleared food-for-freedom bill and bill to increase number of supergrade positions. House committee reported bills to authorize Secretary "to estimate parity price for 1966" and to continue provision on notifying of tobacco-allotment leases.

HOUSE

1. **PARITY PRICES.** The Agriculture Committee reported without amendment H. R. 15089, "to authorize the Secretary of Agriculture to estimate parity price for 1966" (H. Rept. 1605). p. 11640
2. **TOBACCO.** The Agriculture Committee reported with amendments H. R. 15124, to continue the provision modifying the requirement that copies of tobacco-allotment leases be filed with the county committee within a certain time (H. Rept. 1606). p. 11640

3. RULES COMMITTEE reported resolutions for consideration of H. R. 14929, the food-for-freedom bill; H. R. 14019, to authorize additional foreign public buildings; and H. R. 14025, to extend the Defense Production Act. p. 11640
4. PERSONNEL. The Post Office and Civil Service Committee reported with amendments S. 2393, to increase the number of positions authorized at GS-16, GS-17, and GS-18 (H. Rept. 1604). p. 11640
The Post Office and Civil Service Committee voted to report (but did not actually report) S. 1495, to permit variation of the 40-hour workweek of Federal employees for educational purposes. p. D485
5. PUBLIC DEBT. The Ways and Means Committee reported without amendment H. R. 15202, to provide for a temporary increase in the public debt limit (H. Rept. 1607). p. 11640
6. RECLAMATION. The conferees on S. 602, to broaden the scope of the Small Reclamation Projects Act, agreed to file a report on the bill. p. D486
7. DISASTER RELIEF. House conferees were appointed on H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster. p. 11550
8. LIBRARY SERVICES. Passed, 336-2, as reported H. R. 14050, to extend and amend the Library Services and Construction Act. pp. 11554-84
9. RECREATION. Rep. Tupper inserted an article, "The Great Joys of Camping." pp. 11597-8
10. VETERINARY CORPS. Reps. Arends and Price commended the work of the Army Veterinary Corps, including its work on food, on its 50th anniversary. pp. 11598-9, 11637-8
11. TRANSPORTATION. Rep. Younger inserted an article predicting that "containerization" will revolutionize the transportation industry. pp. 11599-60
12. FOREIGN TRADE. Rep. Reuss inserted a speech by Secretary of the Treasury Fowler, "The Year 1966: Year of Decision and of Opportunity for International Economic Cooperation." pp. 11627-31
13. LEGISLATIVE PROGRAM. Majority Leader Albert announced the program for next week: Mon., Consent Calendar and various bills on suspension of the rules, including statute of limitations, additional supergrades, and amendment of the Tort Claims Act; Tues., Private Calendar and legislative appropriation bill; Wed. and balance of week, debt-limit increase, defense-production extension, and food-for-freedom bill. Rep. Albert also said: "I would say...I think it is 99 percent at this time that when we adjourn on...Thursday, June 30, we will have a vacation to Monday, July 11." p. 11585
14. ADJOURNED until Mon., June 6. p. 11639

SENATE

15. FISHERIES. The Commerce Committee reported with amendments S. J. Res. 29, to direct the Bureau of Commercial Fisheries to conduct a survey of the marine

House of Representatives

THURSDAY, JUNE 2, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

For this cause I bow my knees unto the Father of our Lord Jesus Christ, of whom the whole family in heaven and earth is named, that He would grant you, according to the riches of His glory, to be strengthened with might by His spirit in the inner man. Ephesians 3: 14-16.

Eternal God, our Father, whose mercy surrounds us all our days and whose spirit is ever seeking entrance into our hearts, grant that in this moment of prayer we may be conscious of Thy presence, may receive the ministry of Thy grace, and may be strengthened to obey Thy commandments and to do Thy will.

We confess that time and again we have yielded to the temptation to become discouraged and to worry about many things. Grant us even now a deeper experience of Thy holy spirit that we may know we do not stand alone, that Thou art ever with us giving us wisdom, courage, and steadfast faith for every need and for every experience.

Bless Thou our Nation—these leaders and our people—together may we be strengthened with might by Thy spirit in the inner man, through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 10451. An act to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes;

H.R. 10476. An act to retrocede to the State of Kansas concurrent jurisdiction over Haskell Institute; and

H.R. 12264. An act to declare that 99.84 acres of Government-owned land acquired for Indian administrative purposes is held by the United States in trust for the Apache Tribe of the Mescalero Reservation.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 10431. An act to declare that certain federally owned land is held by the United States in trust for the Minnesota Chippewa Tribe; and

H.R. 15151. An act to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15151) entitled "An act to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. HOLLAND, Mr. EASTLAND, Mr. TALMADGE, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. COOPER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 254) entitled "An act to authorize the Secretary of the Interior to construct, operate, and maintain the Tualatin Federal reclamation project, Oregon, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. KUCHEL, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2595. An act to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; and

S. 2948. An act to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

COMMITTEE ON AGRICULTURE

Mr. ABBITT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file its report on H.R. 15124.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CORRECTION OF VOTE

Mr. ABBITT. Mr. Speaker, on roll-call 106 I am recorded as voting "nay." Actually I was not present and did not vote, but I was paired as being for the motion. I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

A WELFARE STATE IN NEW YORK

(Mr. RESNICK asked and was given permission to address the House for 1 minute.)

Mr. RESNICK. Mr. Speaker, starting in the days of President Roosevelt's New

Deal and continuing through President Truman's Fair Deal, President Kennedy's New Frontier and, now today, in the midst of President Johnson's Great Society, each and every time we, as Democrats, passed legislation to help those Americans who could not help themselves because of lack of education or poor health or bad housing or old age, our Republican critics cried out that we were promoting the welfare state. To me the hallmark of each piece of progressive social legislation is the fact that the Federal Government is doing something for the American citizen that the American citizen could not do for himself. To my mind, this is not promoting the welfare state. However, under the leadership of its Republican Governor, New York State has enacted into law the first piece of true welfare state legislation by taking advantage of a supposed loophole in title 19 of the Social Security Amendments of 1965. The Republican administration proposes to provide free medical attention for employed Americans earning \$7,500 to \$8,000 a year. Surely, Mr. Speaker, a man earning that much is either receiving hospital and medical insurance from his employer or can afford to buy it himself. New York State is telling its citizens, even though we know you can take care of yourself, don't worry, big brother will do it for you. That type of thinking is the welfare state and to that I am unalterably opposed.

COMMITTEE ON APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow, June 3, to file a privileged report on the legislative branch appropriation bill for fiscal year 1967.

Mr. LANGEN reserved all points of order.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

SOFT LANDING OF SURVEYOR ON THE MOON

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, I am sure the entire United States and the whole free world—indeed, the entire world—rejoices at the spectacular success that we scored last night in our soft landing by the U.S. Surveyor on the moon.

Certainly this shows the monumental effort that is being made by this country to keep up with the whole space program.

I am sure it is a feat that deserves the highest commendation of all the American people for the wonderful scientists of ours, and all the people who are involved in this project.

This certainly brings closer the day when the United States is going to land men on the moon.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I would like to commend the gentleman for the statement he is making about the accomplishment of our fine space team in effecting a soft landing on the moon.

This is a great tribute to the genius of the people working in that program, and to the determination of our Government to see that we are first in space.

I believe the gentleman has made a very fine statement.

This is a historic day for our country.

Mr. PUCINSKI. I thank the gentleman.

Mr. Speaker, we can all agree that we Americans can weigh our successes and our failures wisely. We have had some setbacks, but when all the chips are down and the score is written, nobody can quarrel with the tremendous contribution of the United States in this whole space program.

I am sure I speak for all Members of the Congress when I salute every individual who played a role in this magnificent achievement early this morning.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 122]

Abernethy	Dawson	Hawkins
Andrews,	Dickinson	Henderson
George W.	Dyal	Holifield
Ayres	Edwards, Ala.	Holland
Berry	Edwards, La.	Irwin
Biatnik	Ellsworth	Jonas
Boiton	Evins, Tenn.	Jones, N.C.
Brown, Calif.	Farnum	Karth
Broyhill, Va.	Fisher	Keith
Burton, Calif.	Flood	Landrum
Cameron	Flynt	Leggett
Carey	Foley	McEwen
Celler	Fraser	Martin, Ala.
Chamberlain	Fulton, Tenn.	Martin, Mass.
Clark	Garmatz	Martin, Nebr.
Clawson, Del.	Gonzalez	Matsunaga
Cohelan	Hagan, Ga.	Miller
Colmer	Hanna	Mills
Conable	Hansen, Idaho	Mink
Cralcy	Hansen, Wash.	Minshall
Daddario	Hardy	Morrison

Morton, Md.	Roncallo	Toll
Moss	Rooney, N.Y.	Trimble
Murray	Scott	Tupper
O'Brien	Senner	Vivian
Passman	Shriver	Watson
Pelly	Sickles	Whitten
Poel	Sikes	Williams
Powell	Slack	Wilks
Randall	Stafford	Wilson,
Rees	Stephens	Charles H.
Rivers, S.C.	Stratton	
Roberts	Thompson, N.J.	

The SPEAKER. On this rollcall 336 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PLANTING OF ALTERNATE CROPS ON ACREAGE UNPLANTED BECAUSE OF A NATURAL DISASTER

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, GATHINGS, JONES of Missouri, DAGUE, BELCHER, and TEAGUE of California.

SECOND INAUGURAL OF ABRAHAM LINCOLN—ANNIVERSARY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 373, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 373

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document the report of the Joint Committee on Arrangements To Commemorate the One Hundredth Anniversary of the Second Inaugural of Abraham Lincoln and that said report may include such illustrations as the joint committee may include. The preparation of material for printing and the selection of an appropriate binding shall be under the supervision of the subcommittee of the joint committee on arrangements for the commemorative ceremony, and said chairman shall cause to be printed seven thousand five hundred copies so as to furnish ten copies to the Vice President, each Senator, each Representative, and the Resident Commissioner from Puerto Rico, and the remainder be equally distributed by the joint committee through its chairman to the various organized groups, associations, and such people who assisted the joint committee in the preparation and development of the program.

With the following committee amendment:

Line 10, strike out all language following the word "commemorative" and insert "ceremony".

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 565 AND HOUSE REPORT NO. 952 (89TH CONG., 1ST SESS.)

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 532, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 532

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on the Judiciary of the House of Representatives one thousand additional copies each of the House Report Numbered 565, dated June 30, 1965, containing Part III—Sales and Use Taxes, Part IV—Capital Stock Taxes, and Part V—Gross Receipts Taxes, and House Report Numbered 952, dated September 2, 1965, containing Part VI—Recommendations.

With the following committee amendment:

Lines 3 and 4, strike out "one thousand" and insert "five hundred".

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF COPIES OF PARTS 1 AND 2 OF HEARINGS ENTITLED "RECENT FEDERAL RESERVE ACTIONS AND ECONOMIC POLICY COORDINATION"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 598, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 598

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Joint Economic Committee five thousand additional copies of parts 1 and 2 of its hearings of the Eighty-ninth Congress, first session, entitled "Recent Federal Reserve Actions and Economic Policy Coordination".

With the following committee amendment:

Line 3, strike out "five thousand" and insert "two thousand five hundred".

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE THE PRINTING AS A HOUSE DOCUMENT OF THE PAMPHLET ENTITLED "OUR FLAG"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolu-

DIGEST of Congressional Proceedings

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For actions of June 6, 1966
89th-2nd; No. 92

CONTENTS

Agriculture budget.....16	Lands.....13,28	Roads.....33
Animal research.....22	Legislative program....12	School lunch.....47
Appropriations....11,12,27	Library services.....25	Screw-worm eradication...2
Claims.....6	Livestock.....44	Statute of limitations...6
Clean air.....43	Loans.....28	Supergrades.....8
Commodity reserve.....20	Manpower.....36,46	Taxation.....35
Cooperatives.....23	Military service.....15	Tobacco allotments.....3
Disaster relief.....1	Milk.....24,37	Transportation..9,14,33,34
Education.....5,36	Organization.....34,35	Veterans.....15
Electrification.....21,23	Park.....45	Water pollution.....17,39
Flood control.....32	Personnel.....8,31	Watersheds.....18
Foreign aid.....10,26	Reclamation.....7,42	Wheat certificates.....4
Foreign trade.....19	Research.....22,41	
Inspection services.....29	River basin.....38	

HIGHLIGHTS: House passed bills for: Screw-worm eradication. Extension of time to file tobacco-allotment leases. Expeditious issuance of wheat certificates. Additional supergrade positions. Conferees announced agreement on bill to permit alternate crops in case of disaster. Sen. Ellender introduced and discussed child nutrition bill.

HOUSE

1. DISASTER RELIEF. The conferees agreed to file a report on H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of natural disaster. The conferees agreed to omit the Senate limitation of \$10,000 on individual payments. pp. D492-3
2. SCREW-WORM ERADICATION. Passed as reported H. R. 14838, to authorize this Department to cooperate in screw-worm eradication in Mexico. pp. 11647, 11667-8

3. TOBACCO ALLOTMENTS. Passed as reported H. R. 15124, to provide that any lease or transfer of a tobacco allotment shall be effective, notwithstanding failure to file a copy with the county committee prior to the closing date, if compliance was agreed to prior to the closing date and the terms of the lease are filed with the county office not later than July 31 of any year. p. 11649
4. WHEAT CERTIFICATES. Passed without amendment H. R. 15089, to permit the Secretary of Agriculture to estimate the July 1966 parity price for wheat in order to expedite the issuance of wheat marketing certificates to complying wheat farmers. Under present law the certificates may not be issued until the exact July parity price is determined. p. 11649
5. EDUCATION. Passed, 194-89, under suspension of the rules, H. R. 14643, to authorize HEW to make grants to establish centers for advanced international studies and to strengthen undergraduate programs in international studies. pp. 11650-67
6. CLAIMS. Passed under suspension of the rules H. R. 13650, to increase to \$25,000 the amount of a claim which Government agencies may settle under the Federal Tort Claims Act. pp. 11668-70
Passed under suspension of the rules H. R. 13651, to authorize Government agencies to compromise claims up to \$5,000 under joint regulations of the Attorney General and the Comptroller General. pp. 11670-1
Passed under suspension of the rules H. R. 13652, to establish a statute of limitations for certain actions brought by the Government. pp. 11671-2
Passed under ssuspension of the rules H. R. 14182, to provide that when the Government loses a lawsuit, a judgment for cost may be awarded the prevailing party. p. 11672
7. RECLAMATION. Passed under suspension of the rules H. R. 14312, to increase the authorization for appropriations to continue the work of the Bureau of Reclamation in the Missouri River Basin. pp. 11682-3
8. SUPERGRADES. Passed under suspension of the rules S. 2393, to authorize additional supergrade positions. As amended in the House, the bill provides for 300 additional positions to be distributed by the Civil Service Commission, in addition to 156 non-USDA positions which are allocated to specific departments and agencies by the bill. The bill also removes the limitation on the number of supergrade jobs which may be allocated at GS-17 or GS-18. pp. 11683-6
9. TRANSPORTATION. Rep. Younger inserted an address favoring establishment of a Department of Transportation. pp. 11700-4
10. FOREIGN AID. Rep. Pepper recommended against continuing the furnishing of food to Egypt. pp. 11727-8
11. LEGISLATIVE APPROPRIATION BILL. The Appropriations Committee reported this bill, H. R. 15456 (H. Rept. 1608) on June 3 during adjournment. p. 11730
12. LEGISLATIVE PROGRAM. Today the House is to consider the Private Calendar and the legislative appropriation bill. pp. D491-2

House of Representatives

Chamber Action

Bills Introduced: 26 public bills, H.R. 15456-15481; 14 private bills, H.R. 15482-15495; and 5 resolutions, H.J. Res. 1158 and 1159, and H. Con. Res. 673-675, were introduced.

Pages 11730-11731

Bills Reported: Reports were filed as follows:

H.R. 15456, the Legislative Appropriations Act for 1967, filed on Friday, June 3 (H. Rept. 1608);

H.R. 6775, to prohibit the introduction into interstate commerce of any shipping container manufactured in the U.S. from imported steel unless the container is marked so as to indicate the country of origin of the steel, amended (H. Rept. 1609); and

H.R. 13431, to extend the Renegotiation Act until June 30, 1968 (H. Rept. 1610).

Page 11730

Consent Calendar: Passed the following bills on the call of the Consent Calendar:

Cleared for the President:

Columbia River project: S. 2421, regarding lands within the Columbia River at the mouth project in the States of Washington and Oregon.

Sea level canal: S. 2469, to determine a site for the construction of a new sea level canal connecting the Atlantic and Pacific Oceans.

Sent to the Senate, amended:

Southern Nevada Project Act: S. 2999, to repeal section 6 of the Southern Nevada Project Act.

National historical park: H.R. 9599, regarding the George Rogers Clark National Historical Park.

Sent to the Senate without amendment:

Additional Assistant Postmaster General: H.R. 13822, to provide for an additional Assistant Postmaster General to further the research and development and construction engineering programs of the Post Office Department.

Passed over without prejudice:

Screw-worm eradication: H.R. 14888, regarding screw-worm eradication in Mexico.

Objected to:

Veterans' Administration facilities: H.R. 14909, to provide for the designation of certain Veterans' Administration facilities.

Unanimous-Consent Bills: The House passed the following four unanimous-consent bills:

Constantino Brumidi bust: S. Con. Res. 70, authorizing the placing of a bust of Constantino Brumidi in the Capitol.

Screw-worm eradication: H.R. 14888, regarding screw-worm eradication in Mexico, amended.

Parity price for 1966: H.R. 15089, authorizing the Secretary of Agriculture to estimate parity price for 1966.

Agricultural Adjustment Act: H.R. 15124, to amend section 316 of the Agricultural Adjustment Act of 1938, amended.

Pages 11645-11650, 11667-11668

Suspension Passages: The following bills were called up, considered, and passed under suspension of the rules:

H.R. 14643, the International Education Act of 1966, amended (passed by a record vote of 194 yeas to 89 nays).

Pages 11650-11667

H.R. 13650, to amend the Federal Tort Claims Act, amended.

Pages 11668-11669

H.R. 13651, providing for collection of claims for the United States, amended.

Pages 11669-11671

H.R. 13652, statute of limitations for certain actions brought by the Government, amended.

Pages 11671-11672

H.R. 14182, to provide for judgment costs against the United States, amended.

Pages 11672

H.R. 10, regarding self-employed individuals tax retirement amendments, amended (passed by a record vote of 291 yeas).

Pages 11672-11682

H.R. 14312, to increase authorization for the Missouri River Basin, amended.

Pages 11682-11683

S. 2393, to provide for additional career positions in certain departments and agencies, amended.

Pages 11683-11686

Record Votes: Two record votes developed during the proceedings of the House and they appear on pages 11666, 11681.

Bills Referred: Four Senate-passed bills were referred to the appropriate committees.

Page 11729

Program for Tuesday: Adjourned at 4:28 p.m. until Tuesday, June 7, 1966, at 12 o'clock noon, when the House will call the Private Calendar and consider the Legislative Appropriations Act, fiscal year 1967; and

S. 1357, the Bail Reform Act of 1966 (open rule—4 hours of debate, waiving points of order).

Committee Meetings

RURAL ELECTRIFICATION ACT

Committee on Agriculture: On Friday, June 3, continued hearings on H.R. 14837, to amend the Rural Electrification Act of 1936, to provide additional sources of financing for the rural electrification and rural telephone programs; and H.R. 14000, and related bills, to amend the Rural Electrification Act of 1936, to establish REA electrification and telephone loan accounts and Federal banks for rural electric and rural telephone systems to provide supplemental financing for the rural electrification and rural telephone programs. Testimony was heard from public witnesses.

D.C. BUSINESS

Committee on the District of Columbia: Subcommittee No. 4 held a hearing on H.R. 9876, and related bills, to amend the District of Columbia Teachers' Salary Act of 1955 to provide a new schedule of salaries; and H.R. 10823, relating to credit life insurance and credit health and accident insurance with respect to student loans. Testimony was heard from Walter N. Tobriner, President, D.C. Board of Commissioners (on H.R. 9876); Thomas F. Moyer, Legislative and Opinions Division, Office of the Corporation Counsel (on H.R. 10823); and public witnesses.

MANPOWER DEVELOPMENT AND TRAINING

Committee on Education and Labor: Select Subcommittee on Labor met in open session and continued on H.R. 14690, to amend the Manpower Development and Training Act. Testimony was heard from Willard W. Wirtz, Secretary of Labor.

PROGRAMS FOR HANDICAPPED

Committee on Education and Labor: Ad Hoc Subcommittee on the Handicapped held a hearing on current programs for the handicapped. Testimony was heard from Dr. Philip H. DesMarais, Deputy Assistant Secretary for Special Education Projects; Ralph L. Hoag, Staff Director, National Technical Institute for the Deaf; and Mrs. Patria G. Winalski, Executive Secretary, National Advisory Committee on Education of the Deaf; all three of the Office of the Secretary, HEW; and Harold Howe, Commissioner of Education, accompanied by Dr. Morvin Wirtz and Dr. Regina Goff, all three of the Office of Education.

COLORADO RIVER BASIN

Committee on Interior and Insular Affairs: On Friday, June 3, the Subcommittee on Irrigation and Reclamation met in executive session and continued the markup of H.R. 4671, and related bills, to authorize the construction, operation, and maintenance of the Lower Colorado River Basin project. No final action was taken.

COPYRIGHT LAW REVISION

Committee on the Judiciary: Subcommittee No. 3 met in executive session and continued on H.R. 4347, regarding copyright law revision. No final action was taken.

FLORENCE AND BEIRUT AGREEMENTS

Committee on Ways and Means: Held a hearing on H.R. 8664, to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950; and H.J. Res. 688, to give effect to the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved in Beirut in 1948. Testimony was heard from Dr. Charles Frankel, Assistant Secretary of Educational and Cultural Affairs Bureau, Department of State; James F. Collins, Deputy Assistant Secretary for Domestic Business, Department of Commerce; L. Quincy Mumford, Librarian, Library of Congress; Leonard H. Marks, Director, USIA; William Benton, U.S. Ambassador to the United Nations Educational, Scientific, and Cultural Organization; and public witnesses.

Joint Committee Meetings

TECHNOLOGY IN EDUCATION

Joint Economic Committee: Subcommittee on Economic Progress began hearings to receive testimony on developments in automation and technology in the field of education, having as its witnesses Maurice B. Mitchell, president, Encyclopedia Britannica, Inc.; Robert E. Slaughter, executive vice president, McGraw-Hill, Inc.; Launor Carter, Systems Development Corp.; and Harold Haizlip, Basic Systems, Inc.

Hearings continue on Friday, June 10.

DISASTER ACREAGE CROPS

Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 15151, to permit the planting of alternate crops on acreage which is unplanted

because of a natural disaster. As agreed by the conferees the Senate would recede from its amendment to add language that payments made pursuant to the act shall not exceed \$10,000 to any producer.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 7

(All meetings are open unless otherwise designated)

Senate

Committee on Agriculture and Forestry, Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices, executive, on S. 2921, proposed Children's Special Milk Act, and H.R. 12322, proposed Cotton Research and Promotion Act, 10 a.m., 324 Old Senate Office Building.

Committee on Commerce, executive, on S. 3005, highway safety bill, and on pending legislation to regulate the transportation of dogs and cats intended for use for experimental purposes, 9:30 a.m., 5112 New Senate Office Building.

Merchant Marine and Fisheries Subcommittee, on the status of the American merchant marine, 10 a.m., 5110 New Senate Office Building.

Committee on Foreign Relations, executive, on pending foreign aid authorizations bills, 10 a.m., room S-116, Capitol.

Committee on Government Operations, executive, on committee business, 10 a.m., 3302 New Senate Office Building.

Committee on the Judiciary, Antitrust and Monopoly Subcommittee, to continue hearings on international aspects of antitrust, 10 a.m., 1318 New Senate Office Building.

Subcommittee on Administrative Practice and Procedure, to resume hearings on invasions of privacy, to receive testimony on industrial espionage, 10 a.m., 3110 New Senate Office Building.

Constitutional Rights Subcommittee, on S. 3296, proposed Civil Rights Act of 1966, to hear Attorney General Katzenbach, 10:30 a.m., 2228 New Senate Office Building.

Committee on Labor and Public Welfare, Subcommittee on Employment, Manpower, and Poverty, executive, on S. 2974, proposed Manpower Services Act, 9 a.m., 4232 New Senate Office Building.

Full committee, executive, on S. 2974; S. 2439, Sea Grant Colleges bill; and H.R. 8989, proposed Federal Metal and Nonmetallic Mine Safety Act, 10 a.m., 4232 New Senate Office Building.

Committee on Public Works, Subcommittee on Air Pollution, on S. 3112, proposed clean air act amendments, and S. 3400, re disposal of junked autos, 10 a.m., 4200 New Senate Office Building.

Full committee, executive, on S. 3052, Highway Safety Act, 2 p.m., 4200 New Senate Office Building.

House

Committee on Agriculture, to continue consideration of H.R. 14837, and H.R. 14000, and related bills, to amend the Rural Electrification Act of 1936, 10 a.m., 1301 Longworth House Office Building.

Committee on Appropriations, Subcommittee on Military Construction, executive, 10 a.m., B-300 Rayburn House Office Building.

Committee on Armed Services, Subcommittee on Real Estate, executive, to consider various real estate projects, 10 a.m., 2216 Rayburn House Office Building.

Subcommittee No. 2, to consider H.R. 14875, to authorize members of the uniformed services who are on duty outside the U.S. or its possessions to deposit their savings with a uniformed service; H.R. 12616, to authorize a dislocation allowance for travel performed under orders that are later canceled, revoked, or modified; H.R. 5293, relative to allowances for quarters; H.R. 5297, to provide for notification in writing within 1 year after a member of the Armed Forces has completed the service required for retired pay; H.R. 5256, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; H.J. Res. 421, providing for appropriate ceremonies in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument; H.R. 2450, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force; H.R. 3313, to provide career incentives for certain professionally trained officers of the Armed Forces; H.R. 15005, to remove inequities in the active-duty promotion opportunities of certain officers; and H.R. 9916 regarding the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, 10 a.m., 2212 Rayburn House Office Building.

Committee on Banking and Currency, to continue consideration of H.R. 14026, to prohibit insured banks from issuing negotiable interest-bearing or discounted notes, certificates of deposit, or other evidence of indebtedness, 10 a.m., 2128 Rayburn House Office Building.

Committee on the District of Columbia, Subcommittee No. 4, to continue consideration of H.R. 9876, and related bills, to increase the pay of D.C. teachers, 10 a.m., 1310 Longworth House Office Building.

Committee on Education and Labor, Select Subcommittee on Labor, to continue consideration of H.R. 14690, to amend the Manpower Development and Training Act, 10 a.m., 2261 Rayburn House Office Building.

Special Subcommittee on Education, to consider H.R. 14323 and H.R. 14286, identical bills, to amend the Vocational Rehabilitation Act to reduce the amount of matching funds required from the District of Columbia, 10 a.m., 2257 Rayburn House Office Building.

Committee on Foreign Affairs, executive, to continue the markup of foreign aid legislation, 10 a.m., 2172 Rayburn House Office Building.

Subcommittee on Europe, to continue consideration of the crisis in NATO, 2 p.m., 2255 Rayburn House Office Building.

Committee on Government Operations, Subcommittee on Intergovernmental Relations, to continue on drug safety, 10 a.m., 2247 Rayburn House Office Building.

Committee on Interior and Insular Affairs, Subcommittee on National Parks, executive, to continue consideration of H.R. 51, to provide for the establishment of the Indiana Dunes National Lakeshore, 9:45 a.m., 1324 Longworth House Office Building.

Committee on Interstate and Foreign Commerce, executive, to continue consideration of H.R. 13286, and related bills, to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna systems, 10 a.m., 2123 Rayburn House Office Building.

*Next meeting of the SENATE*11:00 a.m., Tuesday, June 7

*Next meeting of the HOUSE OF REPRESENTATIVES*12:00 noon, Tuesday, June 7

Committee on the Judiciary, Subcommittee No. 5, executive, to continue on civil rights legislation, 10:30 a.m., 2136 Rayburn House Office Building.

Committee on Merchant Marine and Fisheries, executive, to receive subcommittee reports on H.R. 12591, relating to 55-percent construction differential subsidies; H.R. 8760, relating to prevention of the pollution of the sea by oil; and S. 2142, to simplify the admeasurement of small vessels, 10 a.m., 1334 Longworth House Office Building.

Committee on Post Office and Civil Service, Subcommittee on Postal Operations, to consider H.R. 6102, relating to fraudulent, false, or misleading and lottery mail matter, 10 a.m., 346 Cannon House Office Building.

Committee on Public Works, Special Subcommittee on the Federal-Aid Highway Program and the Subcommittee on Roads, to continue joint hearings on the use of toll facilities in the Federal-Aid Highway Program, 10 a.m., 2167 Rayburn House Office Building.

Committee on Rules, to consider H.R. 13103, to provide equitable tax treatment for foreign investment in the United States; H.R. 15202, to provide for a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; and H.R. 13431, to extend the Renegotiation Act of 1951, 10:30 a.m., H-313 U.S. Capitol Building.

Committee on Veterans' Affairs, Subcommittee on Hospitals, to consider national cemetery policy, 10 a.m., 356 Cannon House Office Building.

Committee on Ways and Means, to continue consideration of H.R. 8664, to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950; and H.J. Res. 688, to give effect to the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved in Beirut in 1948, 10 a.m., committee room, Longworth House Office Building.



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89th-2nd; No. 93

CONTENTS

Animal research.....15	Imports.....22	Pork purchases.....8
Appropriations.....2	Investigations.....25	Poverty.....10
Cotton.....16	Job Corps.....10	Prices.....5,16
Dairy products.....22	Labeling.....14	Public debt.....9,19
Disaster relief.....1	Loans.....10,23	Recreation.....21
Education.....18	Milk.....16	Research.....13,15,24
Electrification.....3	Monopolies.....4	School milk.....11
Farm program.....7	Opinion poll.....20	Soil conservation.....6
Fishery resources.....12	Packaging.....14	Water research.....13
Foreign aid.....17	Parity.....16	

HIGHLIGHTS: House agreed to conference report on bill to permit alternate crops in disaster areas. Senate subcommittee approved school milk, cotton promotion, and parity price-income bills. Senate committee voted to report dog-cat handling bill.

HOUSE

1. DISASTER RELIEF. Agreed to the conference report on H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of natural disaster. p. 11878
2. LEGISLATIVE APPROPRIATION BILL. Passed as reported this bill, H. R. 15456, which includes funds for the Government Printing Office and the Library of Congress. pp. 11881-8

3. ELECTRIFICATION. Rep. Hungate spoke in support of the REA program. pp. 11906-8
4. MONOPOLIES. Rep. Patman commended the Supreme Court's decision in the Von's Grocery Case and asked strong enforcement of the anti-trust laws. pp. 11909-17
5. PRICES. Rep. Curtis said all prices are not up and that there are improved quality, wider distribution, increased wages, etc. pp. 11920-3
6. SOIL CONSERVATION. Rep. Quie commended the work of the soil conservation districts. p. 11923
7. FARM PROGRAM. Rep. Poage and others debated the farm program. pp. 11923-30
8. PORK PURCHASES. Rep. Quie questioned the accuracy of the Secretary's statement on pork purchases by the Defense Department and inserted an article on this subject. pp. 11932-3
9. PUBLIC DEBT. The Rules Committee reported a resolution for consideration of H. R. 15202, to provide for an increase in the public debt (p. 11945). This bill is to be debated today (p. D497).
10. POVERTY. H. R. 15111, the "Economic Opportunity Amendments of 1966," as reported June 1, includes provisions for enrollment of more women in the Job Corps and to raise the limit on loans to low-income rural families from \$2,500 to \$3,000.

SENATE

11. SCHOOL MILK. Sen. Proxmire inserted a statement by Sen. Inouye commending S. 2921, the Proxmire school milk bill. pp. 11847-8
12. FISHERY RESOURCES. Passed as reported S. J. Res. 29, to direct the Interior Department to survey the coastal and fresh-water commercial fishery resources. pp. 11850-1
13. WATER RESEARCH. Sen. Monroney inserted James M. Quigley's statement at the dedication ceremonies for the Kerr Water Research Center in Okla. pp. 11854-6
14. PACKAGING; LABELING. Continued debate on S. 985, the fair packaging and labeling bill. p. 11869
15. RESEARCH ANIMALS. The Commerce Committee voted to report (but did not actually report) H. R. 13881, to regulate the transportation, sale, and handling of dogs and cats intended to be used for experimental purposes. p. D496
16. MILK; COTTON; PARITY. A subcommittee of the Agriculture and Forestry Committee approved for full committee action S. 2921, the Proxmire school milk bill; H. R. 12322, the cotton promotion bill; and S. Con. Res. 88, to make it explicit that the parity price and income goal for agriculture shall be binding on all Government agencies. p. D495

PERMITTING THE PLANTING OF ALTERNATE CROPS ON ACREAGE WHICH IS UNPLANTED BECAUSE OF A NAT- URAL DISASTER

JUNE 7, 1966.—Ordered to be printed.

Mr. COOLEY, from the committee of conference, submitted the
following

CONFERENCE REPORT

[To accompany H.R. 15151]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
PAUL C. JONES,
PAUL B. DAGUE,
PAGE BELCHER,
CHARLES M. TEAGUE,
Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
JAMES O. EASTLAND,
HERMAN E. TALMADGE,
GEORGE D. AIKEN,
MILTON R. YOUNG,
JOHN SHERMAN COOPER,
Managers on the Part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The Senate added an amendment to the House bill limiting payments under "this Act" to \$10,000. From the Senate debate, it was obvious that the author of the amendment intended that it should apply only to the authority embodied in H.R. 15151. However, the General Counsel of the Department of Agriculture interpreted the language to apply to the whole cotton program, and in such a manner as to destroy the one-price cotton law which was enacted last year.

In view of this situation, the Senate receded from its amendment. The bill, as agreed to by the conferees, is the same as the bill which passed the House.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
PAUL C. JONES,
PAUL B. DAGUE,
PAGE BELCHER,
CHARLES M. TEAGUE,
Managers on the Part of the House.

House of Representatives

TUESDAY, JUNE 7, 1966

The House met at 12 o'clock noon.
The Chaplain, Dr. Edward G. Latch, D.D., offered the following prayer:

Beloved, let us love one another; for love is of God; and he who loves is born of God, and knows God.—I John 4: 7.

Almighty Father, Ruler of the universe and the Redeemer of men, we praise Thee for the life Thou hast given us, for the beauty of the world in which we live, for the truth by which men live, and for the love which binds us together. Open our eyes that we may see the beauty about us, open our ears that we may hear the appeal of truth, and open our hearts that we may receive the ministry of Thy love.

Remove from within us all bitterness, all resentment, all ill will and fill us anew with the spirit of joy and peace and love. In spite of differences may we be of one mind, possessed by one spirit, motivated by one power—to serve our country with all our hearts, to keep our faith in Thee, and to work for the good of our fellow man: In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SHOOTING OF JAMES MEREDITH

(Mr. FARBSTAIN asked and was given permission to address the House for 1 minute.)

Mr. FARBSTAIN. Mr. Speaker, like every other good American, I was shocked and appalled to learn of the shooting of James Meredith, yesterday. It is ironic, but significant, that Meredith was engaged in his walk to show Mississippi Negroes that they must not be afraid to assert their dignity as equal citizens.

The shooting demonstrates that there is still an element, a cruel and ignorant element, that insists upon retaining for itself the prerogatives of racial supremacy.

I, for one, am on Meredith's side and will assert that this element is doomed to defeat.

I say that the sooner it recognizes that America means equality for all men, then the sooner we will live in peace and get on with our proper affairs.

The Meredith shooting must alert us to the fact that we cannot relax—here in Washington or anywhere in America, North or South—until genuine equality has been achieved.

This crime must not go unpunished. The forces of law and order must converge in this instance so there is no miscarriage of justice.

The protest of this Nation must be made effective.

TRIBUTE TO THE HONORABLE EDWIN E. WILLIS

(Mr. CELLER asked and was given permission to address the House for 1 minute.)

Mr. CELLER. Mr. Speaker, Ed WILLIS, the distinguished gentleman from Louisiana, is back with us again, and I rejoice.

As chairman of the Judiciary Committee, I indeed missed his wisdom and his counsel. As a friend, I missed his companionship.

We had to "make do" without Ed WILLIS. It was only "make do."

We know that Ed has been through a great ordeal. We thank providence that he is back with us to share with us again those qualities of mind and heart we sorely missed during his absence.

There are none among us who do not feel a bit more fortified because Ed WILLIS is back. I just had to say these few words to let you know, good Ed, how much you mean to me, how much you mean to the Committee on the Judiciary, how much you mean to so many of your friends in this Congress, and how much you mean to the country.

COMMITTEE ON PUBLIC WORKS

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the Special Subcommittee on the Federal Aid Highway Program and the Subcommittee on Roads of the Committee on Public Works be permitted to sit during general debate this afternoon and during the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a certain privileged report.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

PERSONAL ANNOUNCEMENT

(Mr. HELSTOSKI asked and was given permission to address the House for 1 minute.)

Mr. HELSTOSKI. Mr. Speaker, yesterday afternoon there were two record votes taken on two bills which were considered under the suspension of the rules. One was on H.R. 14643, the International Education Act of 1966, and the other was

on H.R. 10, the self-employed individual's tax retirement amendments.

Circumstances required that I remain in the district yesterday and thus I was unable to cast my vote on these two measures.

If I had been present, I would have voted for both of these bills as I am wholeheartedly in favor of both measures.

GEORGETOWN UNIVERSITY CONFERS HONOR ON EDITH GREEN

(Mr. O'HARA of Illinois asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. O'HARA of Illinois. Mr. Speaker, Monday, June 6, was a memorable day, and I am happy that I was at the 167th annual commencement of Georgetown University when that great and ancient institution of learning conferred its highest honor on one of the outstanding Members of this body, one of the grandest ladies in the public affairs of our Nation, the Honorable EDITH GREEN.

I had gone to be present when my granddaughter, Vicki Louise O'Hara, graduate of Sorbonne in Paris, received her master in science degree from Georgetown, a glad moment for me, and due to this circumstance I was there when a great honor was bestowed upon the gentlewoman from Oregon and a law degree was given the son of my friend, Adm. Bartholomew Hogan, with whom I had toured Africa when he was Surgeon General of the Navy.

Mr. Speaker, under unanimous consent to extend my remarks at this point, I include the following citation:

The President and Directors of Georgetown College, to all who shall view this document: greetings and peace in the Lord.

From the enshrined wisdom of the ancients we have inherited the norm of an ideal legislator, and the touchstone of good government: "The people's welfare is the pre-eminent concern of law."

Georgetown University today proudly and gratefully honors a Member of the Congress, who in a distinguished career of public service over six successive terms, has splendidly illustrated this ideal. Matters of public record, and of just personal pride, are the many salutary measures she has introduced, or actively and successfully supported, in the cause of civic and national welfare: Bills, to name but a few, for the advancement and support of higher education; for the enhancement of labor's stature, in justice and in dignity; for liberalized aid to the handicapped, the needy aged and ailing; for the prevention of crime, juvenile and adult, and the rehabilitation of convicted lawbreakers; for more generous immigration laws, and procedures. She was cosponsor of the legislation that added two bright new stars

to our flag. The dignity and distinction with which she has represented her country in international affairs—in NATO, UNESCO, and other world conferences, have brought honor to her, to her native State of Oregon, and to all her fellow American citizens.

Many and well deserved honors have come to her from her own Party, from religious, civic, and academic institutions. To these Georgetown happily adds her highest token of deep respect and warm admiration, nominating and proclaiming the Honorable EDITH GREEN, M.C. Doctor of Laws, honors causa.

In lasting witness thereof, this formal testament has been issued, under our hand and seal, from Georgetown, in the District of Columbia, this sixth day of June, nineteen hundred and sixty-six.

THOMAS R. FITZGERALD, S.J.,
Secretary.
GERALD J. CAMPBELL, S.J.,
President.

TRIBUTE TO THE HONORABLE EDWIN WILLIS

(Mr. CORMAN asked and was given permission to address the House for 1 minute.)

Mr. CORMAN. Mr. Speaker, it is a privilege to join in a very warm "welcome back" to our distinguished colleague from Louisiana, Ed WILLIS. It has been my good fortune to work with Ed on the Judiciary Committee. His competence as a fine lawyer, his leadership, and his great capacity for work, have set an inspiring example to all of us. I look forward to his continued good health and service for many years to come.

TRIBUTE TO THE HONORABLE EDWIN WILLIS

(Mr. RODINO (at the request of Mr. CORMAN), was given permission to extend his remarks at this point in the RECORD.)

Mr. RODINO. Mr. Speaker, I wish to join my colleagues in welcoming back to the House after his wonderful recovery from a most serious illness our highly respected and esteemed colleague from Louisiana, Mr. WILLIS. He has always been a source of strength and inspiration to us all, and I know that his family, many friends, and constituents are overjoyed to see him once again in our midst doing the fine job for which he is justly famous.

I have had the honor of working closely with Chairman WILLIS on the State Taxation of Interstate Commerce Special Subcommittee of the Judiciary Committee. We have completed our current hearings and now under the always very able leadership and guidance of our chairman I know that we are all set to move into high gear.

I extend my warmest congratulations to Congressman WILLIS and his family on his return, and best wishes for many more years of service to the Congress and the Nation.

TRIBUTE TO THE HONORABLE EDWIN WILLIS

(Mr. BROOKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOKS. Mr. Speaker, I want to welcome back our distinguished colleague from Louisiana, Ed WILLIS. This body is very fortunate to have the benefit of his keen legal mind which blends admirably with his warmhearted tolerance and understanding of people, their problems and needs. I couple this welcome with the sincere hope that we, his district, the State of Louisiana, and our Nation may be blessed with his presence for many years to come.

TO PERMIT THE PLANTING OF ALTERNATE CROPS

Mr. JONES of Missouri submitted the following conference report and statement on the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

CONFERENCE REPORT (H. REPT. No. 1611)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
PAUL C. JONES,
PAUL B. DAGUE,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
JAMES O. EASTLAND,
HERMAN E. TALMADGE,
GEORGE D. AIKEN,
MILTON R. YOUNG,
JOHN SHERMAN COOPER,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The Senate added an amendment to the House bill limiting payments under "this Act" to \$10,000. From the Senate debate, it was obvious that the author of the amendment intended that it should apply only to the authority embodied in H.R. 15151. However, the General Counsel of the Department of Agriculture interpreted the language to apply to the whole cotton program, and in such a manner as to destroy the one-price cotton law which was enacted last year.

In view of this situation, the Senate receded from its amendment. The bill, as agreed to by the conferees, is the same as the bill which passed the House.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
PAUL C. JONES,
PAUL B. DAGUE,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I would like to ask the distinguished gentleman from Missouri, is this the conference report—and I believe it is—about which the distinguished gentleman from Pennsylvania [Mr. DAGUE] called me and indicated it was unanimous and he had no objection to its consideration?

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. It is that report, sir. Also I might say it is a unanimous conference report, signed by all the conferees on the part of the House and on the part of the other body.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

Mr. JONES of Missouri. The other body has receded from its amendment. The bill is in exactly the same form as it left the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of Tuesday, June 7, 1966.)

Mr. JONES of Missouri. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day.

The Clerk will call the first individual bill on the Private Calendar.

WON LOY JUNG

The Clerk called the bill (H.R. 1822) for the relief of Won Loy Jung.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
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For actions of June 8, 1966
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CONTENTS

Animal research.....5	Hawaii loans.....7	Procurement.....29
Appropriations.....25,27	Imports.....26	Public debt.....18
Child nutrition.....10	Information.....14,22	Public lands.....15
Conservation.....20	Labeling.....2	Research.....5
Cotton.....11	Loans.....7	School milk.....6,10
Dairy imports.....26	Milk.....6,10,26	Soybeans.....14
Disaster relief.....1	Packaging.....2	Tariff.....13
Farm labor.....19,24	Parity.....8	Taxation.....28
Food.....4,16,17,21	Personnel.....27	Water resources.....3
Great Society.....23	Prices.....8,21,24	Wheat certificates.....9

HIGHLIGHTS: Senate debated bill to authorize alternate crops for disaster areas.
Senate debated fair packaging-labeling bill. Senate committee reported bill for
water-resources survey.

SENATE

1. DISASTER RELIEF. Began debate on the conference report on H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of natural disaster. pp. 12086-93, 12094-100
2. PACKAGING; LABELING. Continued debate on S. 985, the fair packaging and labeling bill. pp. 12022-31, 12061-80, 12093-4, 12100

3. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendments S. 3107, to provide for a comprehensive review of national water resources problems and programs (S. Rept. 1212). p. 12018
4. FOOD SHORTAGE. Sen. Mondale expressed concern about the world food shortage and submitted an amendment which he intends to propose to S. 2859, the foreign aid bill, to provide for assistance in food-production development in foreign countries. pp. 12019-22
5. RESEARCH ANIMALS. Sen. Mondale commended various interests in Minn. for getting together on a recommendation for legislation relating to handling and care of research animals and inserted articles on this matter. pp. 12047-8
6. SCHOOL MILK. Sen. Proxmire spoke in favor of his school milk bill, S. 2921, and inserted favorable testimony of Rep. Culver. p. 12042
7. HAWAII LOANS. The Agriculture and Forestry Committee voted to report (but did not actually report) with amendment S. 112, authorizing this Department to make real estate mortgage loans on leased lands in Hawaii. p. D503
8. PARITY. The Agriculture and Forestry Committee voted to report (but did not actually report) with amendments S. Con. Res. 88, to make it explicit that the parity price and income goal for agriculture shall be binding on all Government agencies. p. D503
9. WHEAT CERTIFICATES. The Agriculture and Forestry Committee indefinitely postponed H. R. 15089, to permit the Secretary of Agriculture to estimate the July 1966 parity price for wheat in order to expedite issuance of wheat marketing certificates to complying farmers. p. D503
10. SCHOOL MILK; CHILD NUTRITION. The Agriculture and Forestry Committee considered S. 2921, the Proxmire school milk bill, and S. 3467, the child nutrition bill, and announced that hearings will be held on the child nutrition bill. p. D503
11. COTTON. The Agriculture and Forestry Committee announced that it will consider H. R. 12322, the cotton promotion bill, today. p. D503
12. BANKING. The Banking and Currency Committee reported without amendment S. 3368, to extend for 2 years the authority of Federal Reserve banks to purchase U. S. obligations directly from the Treasury (S. Rept. 1215). p. 12018
13. TARIFF. The Finance Committee reported without amendment H. R. 12676, to provide that certain forms of copper be admitted free of duty (S. Rept. 1220). p. 12018
14. INFORMATION. Sen. Miller was added as a cosponsor of S. Res. 270, authorizing an investigation of premature disclosure of information relating to increased production of soybeans and other agricultural commodities. p. 12031
15. PUBLIC LANDS. Sen. Mundt inserted a speech by Milton A. Pearl, Director of the Public Land Law Review Commission, on the history of public lands and plans for the Commission. pp. 12048-9

Ministers of India have repeatedly declared their determination not to manufacture a bomb. We want to harness the nuclear energy for peaceful purposes. But the world, especially the nuclear powers, should not take our self-abnegation as a part of our duty and their right. We should be assured of reasonable hope that an agreement on disarmament will be signed and signed soon. If the nuclear powers fail to agree to both non-dissemination and non-proliferation, India may be forced to reconsider her decision. Being a democratic society, the Indian Government will have to bow to the public demand. It can postpone a decision but cannot avoid it. For, unlike dictatorships, we cannot ride roughshod over the public sentiment. Being members of the democratic society you may not only understand our position, but also can appreciate it. Where the security of India is involved, India cannot rely on the goodwill of a nuclear power alone. We are willing to accept a multilateral guarantee by the nuclear powers through the United Nations. Nevertheless, this can be only an ad hoc arrangement. It is no substitute for disarmament. Security is not synonymous with protection, irrespective of the might or the sincerity of the protector. Real security, we believe, lies in the elimination of the threat rather than in offering aid to the victim of aggression. In a nuclear attack there may not be enough time for rescue. It is no solace to the victim of aggression that the aggressor has been later punished by the nuclear powers.

There is another danger. Nuclear explosives are relatively cheap. As late Dr. Homi Bhabha, Chairman of India's Atomic Energy Commission, once explained, a ten kiloton explosive—that is, one equivalent to 10,000 tons of TNT—would cost only \$350,000.

Such an explosive would be of the same order as the Hiroshima bomb. Nuclear explosives are thus some twenty times cheaper and thermonuclear explosives more than 500 times cheaper than conventional explosives of equivalent force. Thus there is always a danger of nations harnessing nuclear energy for explosives ostensibly for digging a tunnel and later using them as weapons. It is therefore imperative that we control this deadly weapon while the nations with nuclear potential are few and still manageable.

There is another school which believes in the dictum that "a conventional armaments race produces instability, whereas a nuclear armaments race produces stability: the reason is that one conjures up a picture of possible victor, whereas the other increases the certainty of mutual destruction." This view has been advanced by General d'Armeé Andre Beaufre, the director of the French Institute of Strategic Studies, in his book "Deterrence and Strategy." Dr. Hermann Kahn, a noted American expert, thinking of the unthinkable, has expressed the view that it is possible for America to survive a nuclear war. Thus there are influential exponents who believe that nuclear weapons are a stabiliser of peace.

This may be a tranquilizer to peace and not the remedy for the disease—and even stability, I submit, is a relative concept. If it is true that conventional armaments offer no stability, then it is equally true of nuclear weapons. It cannot be said, even today, that nuclear weapons are the last word in weapons sophistication. The nuclear bomb is only a part of a whole complex of the modern armoury, which includes such inhuman refinements as lethal and incapacitating gases and killer germs—the so-called bacteriological and chemical weapons. The invisible laser beam is already being put to industrial uses and may be soon tamed and employed by the military. It could, as a weapon, kill human beings without de-

stroying human creations like buildings and monuments. It could possibly reduce even the nuclear weapons to the status of another conventional weapon. The burden of my song today is that the refinement of weapons is unending and India strongly rejects the view that nuclear weapons are a stabilizing factor in the promotion of world peace.

An idealist like Mahatma Gandhi would perhaps say that we are fighting the wrong battle. We should not fight the bomb, but the psychological factor behind it, the idea of violence as an arbiter of disputes among nations. The world today still subscribes to the notion of dependence on armaments for survival of mankind. The arms race, he would have perhaps told us, is a narrow one-way street. Since there is no U-turn, we would be certainly courting disaster. So he would have insisted on a unilateral disarmament. But we, as realists, realize that such soaring idealism would fall on deaf ears in a country like China, which has flouted with impunity the combined will of the world community. We have not sought unilateral action by any of the nuclear powers. But in keeping with the spirit of Gandhian idealism we have pleaded in the Disarmament Commission that "since there has been further technological progress in the field of detection and verification and if at all, our conviction has grown stronger that it is desirable for the nuclear powers to take a bold decision, and for the sake of argument, some theoretical risks in order to achieve one more significant landmark in our path of progress towards disarmament."

This is not a novel plea. President Kennedy took such a risk when he announced in one of his great speeches at the American University in Washington that the United States will not conduct nuclear tests in the atmosphere so long as other States do not do so. "Such a declaration," he declared, "is no substitute for a formal binding treaty—but I hope it will help us to achieve it." He did achieve it. The Test Ban Treaty is a consequence of President Kennedy's wisdom and vision. There were theoretical risks. Today we need a repeat performance of such acts. We trust that the nuclear powers will follow the same high-minded pattern and achieve a similar and satisfactory agreement. For there is a danger that any distraction and delay may only give false excuse to the chauvinists among us who glorify war and to whom peaceful coexistence is a crime.

We are conscious that disarmament cannot be achieved here and now. India seeks an extension of the underlying spirit of the Test Ban Treaty. In a memorandum placed before the Disarmament Commission, India said:

"We consider it imperative that all underground tests should be discontinued immediately, either by unilateral decisions based on the policy of mutual example or in some other appropriate way, while the negotiations are going on for reconciling the differences between the nuclear powers."

India further suggested that the nuclear powers may enter into another partial treaty for the cessation of tests above a limited threshold and that this threshold could be lowered subsequently as a result of scientific and other data and of appropriate negotiations. The scientific exchanges were suggested for the specific purpose of lowering the initially agreed threshold. Thus we do not consider any effort to achieve any agreement, however limited in its scope, as too picayune in the cause of peace.

Two basic issues: non-dissemination and non-proliferation are taxing the talents of the Disarmament Commission today. Non-dissemination involves the non-transfer of nuclear technology and/or nuclear weapons by nuclear powers to non-nuclear countries, aligned or unaligned. We feel that non-

dissemination should form an important element in any future non-proliferation treaty. We do not accept the threefold classification offered by some of the nuclear Powers—nuclear powers, allied non-nuclear Powers and unaligned non-nuclear powers—as the basis of such a treaty. We recognize only two groupings—those who are in the nuclear club and those who are not. The latter would also include the allies of the nuclear powers. It would be improper for a non-nuclear ally to have access to nuclear weaponry, which a non-aligned non-nuclear power is denied by the treaty.

We insist that a non-proliferation treaty be signed. But we consider it unrealistic to ask the non-nuclear countries to forswear, forever, a programme of nuclear weapons production, when the existing nuclear powers are allowed to hold on to their awesome arsenals. United Nations Secretary-General U. Thant echoed this thought when he said:

"Those who have already embarked upon nuclear weapons development continue to perfect and increase their stockpile of nuclear weapons. On the other hand, a growing number of States capable of nuclear weapons development will be faced with extremely grave decisions in this area which will have profound repercussions. Responsibility and restraint are needed on the part of both the nuclear and non-nuclear States. Decisions in the field of nuclear weapons development have a contiguous and cumulative effect whether in curbing or in the broadening of the nuclear arms race."

Mr. William C. Foster, Director, U.S. Arms Control and Disarmament Agency, seemed to agree with him. In a thought provoking and lucid article in the Foreign Affairs, he wrote:

"In stressing that such measures as reductions in Soviet and American nuclear capabilities are important if we are to succeed in dealing with nuclear proliferation, it should be made clear that it is not a question of our setting a good example, a factor of regrettably little influence in international affairs, but rather the fact that we would, by negotiating such measures, be giving evidence of our determination to reverse the arms race and move towards a world order in which the role of nuclear weapons would be diminished. Lacking at least reasonable prospects of movement in this direction, it is hard to see how, in the long run, we can hope to put any limits on the membership in the nuclear club."

Besides, a non-proliferation agreement is basically an agreement to be entered into by the nuclear powers not to proliferate nuclear weapons. A prohibition to proliferate applies firstly to those who possess weapons and therefore are in a position to proliferate and only secondarily to those who may subsequently attain such a position. No international treaty is rational that prohibits the acquisition of nuclear weapons only by non-nuclear powers. This is therefore unacceptable to India. Nuclear powers cannot tell those who are outside the nuclear club not to enter the club. It would be like a smoking parent advising his son not to smoke. There should be some tangible progress of the intentions of the nuclear powers to reduce their stockpile and freeze their production. For the disarmament of unarmed countries would not assure peace. The treaty of non-proliferation should be non-discriminatory.

A resolution adopted by the General Assembly of the United Nations on 19th November 1965, embodied the hopes and aspirations of the international community. It declared that an international treaty to prevent proliferation of nuclear weapons should be based on certain specific principles such as an "acceptable balance of mutual obligations of nuclear and non-nuclear

Powers." A sense of equality based on mutual respect should be the keynote of any negotiating forum and more so in the case of disarmament. A spirit of participation should pervade the negotiations. For the developing countries like India, there is a link between disarmament and availability of capital and technological resources for economic advancement. Disarmament, then, means more than a matter of survival for us.

This part was beautifully expressed, in his memorable speech, by President Eisenhower when he said "Every gun that is made, every warship launched, every rocket fired, signifies—in the final sense—a theft from those who are hungry and are not fed, who are cold and are not clothed".

We have naturally developed a passion for peace.

But all this problem of development is beyond disarmament. We have to achieve the first step—the destruction of death-dealing weapons the torturing traps of mankind. Mankind can and shall achieve this goal. Amazing is the spirit of man. "In spite of innumerable failings," Jawaharlal Nehru wrote in "The Discovery of India," "man, throughout ages, has sacrificed his life and all he holds dear for an ideal, for truth, for faith, for country and honour. That ideal may change, but that capacity for self-sacrifice continues, and, because of that, much may be forgiven to man, and it is impossible to lose hope for him. In the midst of disaster, he has not lost his dignity or his faith in the values he cherished. Playing of natures mighty forces, less than a speck of dust in this vast universe, he has hurled defiance at the elemental powers, and with his mind, cradle of revolution, sought to master them." Man shall never be the slave of the machine, the human spirit, I submit, shall ultimately prevail over the atom bomb.

Mr. DOMINICK. Mr. President, I was interested in this speech because immediately after reading it, which certainly talks about the part of disarmament and the peace that would come from it, I read in the Washington Evening Star yesterday an article entitled "India Getting 600 Tanks From Reds, Pakistanis Say."

In view of the fact that this offsets some of the implications of Mr. Banerjee's address, I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDIA GETTING 600 TANKS FROM REDS,
PAKISTANIS SAY
(By David Van Praagh)

RAWALPINDI.—Pakistani military sources say India is in the process of acquiring 600 tanks from the Soviet Union and Czechoslovakia.

The alleged tank shipment, following last fall's Indo-Pakistani war, are cited as the reason why Pakistan says it must rearm—if necessary with Communist China's help—against what it feels is an inevitable Indian attack.

Experienced Western observers in this sun-baked interim capital agree, insofar as they believe that it is not a question of whether, but when hostilities between India and Pakistan will be resumed.

Estimates range from four months to two years. While high military quarters on each side claim that its army is already back to pre-war strength, the best military guess is that neither Pakistan nor India expects full-scale fighting for at least one year.

It is clear in Pakistan, however, that the Tashkent Declaration and its spirit of peaceful Indo-Pakistani relations is virtually

dead, if they ever existed at all as more than a scrap of paper signed by President Mohammed Ayub Khan and the late Prime Minister Lal Bahadur Shastri in Soviet Uzbekistan Jan. 10.

"IN STATE OF ALERT"

Ayub recently reiterated in an address to his old battalion, the Sherdils, that Pakistan wanted peace with its neighbors, including India.

But he added that because of India's military preparations, "Pakistan will have to, of necessity, remain vigilant and in a state of alert."

Gen. Mohammed Musa, the army commander, used words more typical of recent Pakistani statements when he told officers of the Pakistan Ordnance Factory at Wah near here that only the armed forces stood between Pakistan's "independence and slavery."

It is this mood that is expected to pervade the current session of Pakistan's National Assembly here. A budget will be presented Saturday that will indicate where cuts considered necessary in economic and welfare spending will be made to permit greater military spending.

Pakistani sources do not confirm or deny Indian reports that Pakistan's army is being expanded by three divisions to 10 or 11, and that Pakistan has received 45 to 50 medium tanks of Soviet design and two squadrons of MIG 19 fighter planes from China.

Last March, five T59 tanks and four MIG 19s were displayed in the Pakistan Day parade here. It is not known whether Peking is giving or selling tanks and MIG's to Pakistan.

U.S. AID CUTOFF

What is painfully known to Pakistani officers is that there is no present prospect for the resumption of U.S. military aid. Since 1954 to its cutoff last September, U.S. aid provided the bulk of the equipment for the Pakistani army and air force.

Although U.S. refusal to extend more aid causes bitter resentment at what is considered favoritism to India, it is stressed that Pakistan's armed forces would prefer to continue reliance on U.S. rather than Communist weapons.

Pakistan also intends to remain a member of the Western-backed Central and Southeast Asia Treaty Organizations and sees no inconsistency in receiving arms from the Chinese Communists at the same time. One high officer said, "The United States is blind to our requirements."

Pakistani sources do not say how many of the 600 Soviet and Czech tanks they say will be delivered to India have already been unloaded. But they report some have been seen on Calcutta docks—which conceivably could block unloading of U.S. wheat for Indian famine areas—along with Soviet-supplied heavy artillery.

They say the Czechs will supply 225 T54 medium tanks and the Russians will supply 225 T55 medium tanks—both earlier than the T59—and that India also will receive 150 amphibious tanks.

The Pakistanis also say that the Indian army will be built up to 30 divisions after the present strengthening to 22 or 23 divisions, started before last fall's war, is completed soon.

It is an open secret in New Delhi that India is receiving Soviet-bloc arms but it is insisted that they are being paid for, a contention that the Pakistanis do not dispute.

SUFFERED LOSSES

If the supply of arms, however, approaches 600 tanks and related hardware—the tanks alone could cost \$300 million—it would make the Indian army a far more powerful force than it is now. Unless Pakistan keeps up the present proportion of the two countries' armed forces, this could give India a decisive edge.

Each country started last fall's war with about 1,000 tanks. Losses suffered by each, depending on whose military claims are accepted, ranged from 100 to 250, with Pakistani losses reliably believed closer to the latter figure.

For medium tanks, India has depended largely on British-built Centurions although it has recently reported to be starting to build its own medium tank.

India has received far less U.S. military aid since 1962 to counter the Chinese than Pakistan has received, so last fall's cutoff hurt it less. Since 1962 India has received an undetermined number of MIG21 fighters and other military hardware from the Soviet Union.

While Pakistan charges Moscow with undermining the Tashkent spirit it inspired by providing fresh arms to India, it does so quietly and may have asked a high-level Soviet parliamentary delegation visiting here recently for arms. Pakistani military sources say limited arms have been obtained from Iran, Turkey and Saudi Arabia, which all receive U.S. military assistance. They readily acknowledge that Pakistan will take arms wherever it can find them to meet the alleged Indian military buildup.

TO PERMIT THE PLANTING OF ALTERNATE CROPS—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 7, 1966, p. 11878, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, the conferees on the part of the Senate were faced with a very unusual situation on this conference. We were advised by the Department of Agriculture that, because of another provision in the law, the Senate amendment would not accomplish its purpose. Furthermore, it would prevent the entire bill from achieving the purpose the Senate intended, and would require drastic change in the 4-year cotton program approved by the Congress and the President last year.

Last year, Congress enacted section 103(d)(12) of the Agricultural Act of 1949, the so-called snapback provision, which provides for cotton price supports through loans and purchases if the Secretary is unable to make available to "all" cooperators the "full" amount of price support to which they would otherwise be entitled under sections 103(d)(2) and (3) of the 1949 act. The Senate amendment, by limiting the amount of payments that could be made to any cooperator under section 103(d)(3) of the 1949 act, as amended by H.R. 15151, does prevent the Secretary from making the

"full" price support available to "all" co-operators.

The Department of Agriculture has advised that in its opinion the Senate amendment would bring this snapback provision into effect and require very substantial changes in the cotton program. The letter from the Department's General Counsel reads in part, as follows:

... Obviously, producers affected by the Williams' Amendment would not be getting price support to which they would "otherwise be entitled" but for that amendment. It is clear from the wording of paragraph (12) quoted above that the cotton price support program is to be operated on an "all or none" basis as between loans and payments and loans and purchases. Thus, there is no authority to operate both types of support programs at the same time.

For these reasons the Williams' Amendment would seem to require a return to the outmoded two-price cotton program which the Congress has so recently abandoned. ...

I ask unanimous consent that the entire letter may be printed in the *RECORD* at this point.

There being no objection, the letter was ordered to be printed in the *RECORD*, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, D.C.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: You have asked for my views as to the effect of the Williams' Amendment to H.R. 15151 passed by the Senate yesterday. This bill would amend the provisions of the cotton, wheat and feed grain programs to permit price support payments with respect to these crops in instances where they were not planted because of a natural disaster and some other income-producing crop not under marketing quotas or a voluntary adjustment program was substituted therefor.

The Williams' Amendment added a section to H.R. 15151 reading as follows:

"Payments made pursuant to this Act shall not exceed \$10,000 to any one producer."

We interpret this language to mean that any price support payment which could not be made except pursuant to amendments added by H.R. 15151 ("this Act") cannot exceed \$10,000 to any one producer. If the producer participates in the cotton, wheat and feed grain programs, such payment would be limited to \$10,000 for all three crops.

It seems clear that the Williams' Amendment may mean the end of the one-price cotton program enacted in the Food and Agriculture Act of 1965. Section 103(d) (12) of the Agricultural Act of 1949, as added by section 402 of the Food and Agriculture Act of 1965, provides in pertinent part as follows:

"Notwithstanding any other provision of this Act, if, as a result of limitations hereafter enacted with respect to price support under this subsection, the Secretary is unable to make available to all cooperators the full amount of price support to which they would otherwise be entitled under paragraphs (2) and (3) of this subsection for any crop of upland cotton, (A) price support to cooperators shall be made available for such crop (if marketing quotas have not been disapproved) through loans or purchases at such level not less than 65 per centum nor more than 90 per centum of the parity price therefor as the Secretary determines appropriate; * * *."

This so-called "snapback" provision was designed to require that cotton be supported by loans and purchases instead of by loans and payments if, because of limitations with respect to price support, the Secretary "is unable to make available to all cooperators" (*emphasis supplied*) the full amount of price support to which they would otherwise be entitled under loans (paragraph (2)) and payments (paragraph (3)) authorized by amendments enacted in the 1965 legislation. Obviously, producers affected by the Williams' Amendment would not be getting price support to which they would "otherwise be entitled" but for that amendment. It is clear from the wording of paragraph (12) quoted above that the cotton price support program is to be operated on an "all or none" basis as between loans and payments and loans and purchases. Thus, there is no authority to operate both types of support program at the same time.

For these reasons the Williams' Amendment would seem to require a return to the outmoded two-price cotton program which the Congress has so recently abandoned. Moreover, this would establish a dangerous precedent, as it would be but the first step to undermine the farm programs so carefully worked out by the last session of Congress. The Department strongly recommends the elimination of the Williams' Amendment in conference.

Sincerely yours,

JOHN C. BAGWELL,
General Counsel.

Mr. ELLENDER. Mr. President, from the portion of the letter I have quoted, it is clear that the Department feels it could not make any cotton price support payments at all if the Senate amendment became law. This would defeat the entire purpose of the bill, since its purpose is to permit payments to producers who, having been prevented from planting cotton because of a natural disaster, plant their permitted cotton acreage to other income-producing crops.

Under existing law, a producer who plants cotton on his permitted acreage is entitled to price support payments. If some disaster prevents his making a crop, he can replant his land to another commodity without losing his cotton price support payments.

Existing law further provides that a producer who is prevented from planting cotton because of a natural disaster is entitled to cotton price support payments, but in such case he gets his payments only if he does not plant another income-producing crop on his permitted cotton acreage.

There is, of course, very little difference between the producer who planted his cotton just before the flood or other disaster and the farmer who had bought his seed, plowed his ground, and done everything but plant. There is also no advantage to the Government in prohibiting the latter producer from planting some other crop that is not subject to marketing quotas or a voluntary adjustment program. Such economic waste accomplishes no good for anyone. The entire purpose of the bill, therefore, was to permit such a farmer who had been prevented from planting his permitted cotton acreage—or his permitted feed grain or wheat acreage—to plant some other crop not subject to an adjustment program and still obtain his price support payment.

The Senate amendment, under the Department's interpretation, would have prevented any payment at all from being made to the cotton producer the bill was intended to benefit, that is, the one who was prevented from planting cotton at all.

It would also prevent any payment to the producer who had planted cotton that was destroyed, and would prevent price support in the form of payments to any cotton producer at all.

This was not the purpose of the amendment. It was designed to permit up to \$10,000 in payments to producers who had been prevented from planting cotton and who planted other crops as permitted by the bill. It was not designed to affect any other payments.

The Senator from Delaware in explaining the amendment stated:

This amendment does not affect payments under the price support program as provided under existing law ...

That is the basis on which the amendment was offered and acted upon. It was only after the Senate had acted and the Senate amendment had been studied and interpreted by the Department that the effect I have described became known.

If the House had been receptive to the objectives of the Senate amendment I am sure that with adequate time we could have worked out suitable language to achieve the Senate's objectives. However, the House conferees were absolutely opposed to it, and the nature of the bill required prompt action if it were to accomplish its purpose.

The intended effect of the Senate amendment would have affected very few producers. The House conferees felt that the principal effect of the amendment would be to establish a precedent for price support payment limitations, and they were unalterably opposed to establishing such a precedent. Under the cotton, feed grain, and wheat programs, the producer receives a part of his price in the form of payments. If payments were to be prohibited on a substantial part of the production, the producers would be deprived of a substantial part of the price for their commodity, and the program would have to be changed. The House conferees were therefore unalterably opposed to establishing that precedent; and pressed upon the Senate conferees the need for immediate action on the bill.

The House conference committee members and many Senators feel that there is a clear inequity in existing law regarding the treatment of farmers who have planted and those who have not had an opportunity to plant where both have been struck by disaster. The existing law is clear as regards those farmers who have been lucky enough to get their seed in the ground. These producers are entitled to the payments under the law and can plant soybeans or any other income producing crops without penalty. On the other hand, the producer who may have plowed his field, fertilized, bought the pesticides and seed, but who was not permitted to plant because of disaster, is in the position where his payments would be lost if he were to plant soybeans or other income producing crops. In other

words, this second farmer is forced by law to plant cotton or leave his land idle. And, as all of you know, no good farmer ever wants to leave land idle. It goes against his nature to see a resource go to waste. Therefore, fully expecting to make less than a good crop, he would go ahead and plant his fields to cotton.

Under such circumstances, it seems to me to be ridiculous that the Government is paying this farmer to divert acres from the production of cotton, and at the same time forcing him to plant a crop that is not needed. As a matter of fact, the report of the Commodity Credit Corporation, as of April 30, shows that the Government has \$2,267,619,000 invested in 15,145,000 bales of cotton. To force farmers to plant cotton, a commodity that is not needed, is especially ridiculous when everyone knows that this Government has done all it can to encourage the production of soybeans, a crop that is very necessary, and a crop that is in short supply.

It would be good sense, indeed, to agree to this conference report solely on the basis of savings to the Government. With Government cotton stocks as high as they are, we should do what we can to reduce them. Every bale of cotton produced would in effect prevent the Government from reducing its stocks by selling a bale in the market and, with the support loan set at 12 cents per pound, would cost the Government an average of \$105 a bale.

It is true that this bill was not referred to the Senate Committee on Agriculture and Forestry. It is true that Senate hearings were not held. However, the only reason for the hasty action taken by the Senate was the very nature of the emergency facing producers in 6 or 7 States.

During our conference with the House, the Senator from Kentucky [Mr. COOPER] made what I consider to be a very good suggestion. He recommended that the Senate Committee on Agriculture and Forestry keep a watchful eye on the results of this legislation. As a result, it is my intention to ask the Secretary of Agriculture to provide the committee with a full report on the action taken by the Department with regard to this legislation. This would include, of course, the number of producers who avail themselves of the opportunity, the number of acres involved, and the possible savings or cost to the Government. The Senator from Kentucky [Mr. COOPER] further suggested, and I agree with him, that the committee ought to look into this problem again next year after the results are in, in order to determine whether or not the 4-year life of the bill is entirely justified, and whether or not any inequities develop under this program, and whether any changes ought to be made. It would seem to me that this could be accomplished readily and that the committee would be in a very good position to determine precisely what additional steps might be needed in order to strengthen the law with respect to disaster situations.

I move that the conference report be adopted.

Mr. WILLIAMS of Delaware. Mr. President, first I want to point out that

the adoption of my amendment to the bill does not in any way affect the price support program. The letter of the Department of Agriculture is one of the most fuzzy interpretations I have ever seen. It was written by the general counsel. One would think that a man in his position would have sense enough to understand and to say what the amendment does. Instead, he says "if" the amendment does this it "may" do thus and so, and then he says it "would seem to require" a return to the two-price system for cotton. This is a peculiar, fuzzy position or interpretation from a man in his position.

The Department knows that price supports would not be covered by my amendment. Yet all we received is a fuzzy letter, which in effect says nothing except that the Department wants to protect the large corporate farms. I challenge anyone to show how my amendment affects price supports or how there would be a return to the two-price system.

This letter is just an attempt by the administration to assure payments to the big farmers. They do not have the guts to come out and say so.

The Secretary has already said that if any reduction or limitation was put in the bill he would recommend a veto. The President backs him up. I can understand why. They want to protect the payments to the big farmers. They are usually good contributors.

As an illustration of how the farmers are affected, in Texas there are 167,208 cotton farmers. Only 5,180 will be affected by this limitation. Over 160,000 will not be affected at all.

In the State of Tennessee there are 55,655 farmers, and of that number only 99 would be affected by the \$10,000 limit.

In the State of Florida not a single farmer would be affected out of the total number of 6,574 cotton farmers of that State.

We may as well get the record straight. My amendment does not affect price supports. It does not have anything to do with a return to the two-price system and the Department knows it. The opposition reflects the determination of the administration to keep up the lavish payments to large farmers who instead of planting cotton want to plant soybeans.

The Department's letter has already been placed in the RECORD by the Chairman.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MORTON. While the Senator is giving the names of States, would he mind including Kentucky?

Mr. WILLIAMS of Delaware. In Kentucky, out of 1,001 farmers listed by the Department, only one farmer would be affected by the adoption of my amendment limiting these payments to \$10,000.

Mr. MORTON. And he has not even written a letter to me.

Mr. WILLIAMS of Delaware. It is interesting to note that the only two communications I have received in opposition to my amendment are one from a man who was dealing in soybeans, who had sold short, and who wanted to see the acreage increased, and the other was from a textile manufacturer. This limita-

tion does not affect 99 percent of the farmers at all. It does affect the big corporate-type operators, who have been drawing these large subsidies. And why not?

ADDITIONAL COSPONSOR OF S. RES. 270

Mr. MILLER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. Inasmuch as soybeans seem to be a big element in the bill, I understand the Senator introduced a resolution, Senate Resolution 270, to investigate premature disclosure of information by the Agriculture Department with respect to soybeans.

I wonder if he would be good enough to have me join that resolution as a cosponsor.

Mr. WILLIAMS of Delaware. I would be delighted to have the Senator join as a cosponsor.

Mr. President, I ask unanimous consent that the name of the Senator from Iowa may be added as a cosponsor of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, inasmuch as soybeans seems to be a strong element in this matter, and my State is a large producer of soybeans, I point out that this administration appears to have embarked on a course where facts have become nonfacts.

What may be true one day is not necessarily true the next under this policy. A statement issued one day is not necessarily what is said the next.

This "when it suits our purpose" policy is never more evident than in the area of agricultural policy, as recent developments show.

The extent of what I mean is demonstrated in a series of articles by two of Washington's top investigative reporters—Clark Mollenhoff and Nick Kotz of the Des Moines Register-Tribune bureau here.

In these very thorough articles, they have focused public attention on the statements and misstatements, facts, and nonfacts, actions and nonactions which underscored the Department of Agriculture's approach to reduction of pork purchases by the armed services and the matter of soybean transactions on the commodity market.

They have raised some pertinent questions related to the inconsistency of official statements and actions which should be answered by the Secretary of Agriculture. The questions should be answered because current statements are at variance with records, orders, and policy procedures of the past.

In particular, the Secretary of Agriculture should release his original letter to Secretary of Defense Robert McNamara in regard to the proposed order to cut pork purchases. I believe its release would shed much light in the darkness created by the statements of certain officials.

I ask unanimous consent that this series of articles, appearing in the Des Moines Register for June 3, 4, and 7, and a section of Secretary Freeman's press conference of last Friday be placed in the RECORD. I feel that a careful reading of both the articles and the text of the

press conference will stimulate the interest of my colleagues in attempting to get to the bottom of these actions and serve warning that the public's right to know should be fully respected by this administration.

I refer to articles appearing in the Des Moines Register for June 3, 4, and 7.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Des Moines Register, June 3, 1966]
URGES PROBE OF MARKETS, U.S. DECISIONS—
INQUIRY SOUGHT ON FARM PRODUCTS

(By Clark Mollenhoff and Nick Kotz, of the Register's Washington bureau)

WASHINGTON, D.C.—Senator JOHN J. WILLIAMS, Republican, of Delaware, Thursday asked for a "full and complete" congressional investigation of speculation in soybeans and other agricultural commodities.

Williams introduced a resolution in the Senate aimed at obtaining an investigation of the manner in which the Johnson administration has handled announcements on soybeans, pork prices, cattle, hides, and a wide range of other agricultural commodities.

NO ACCUSATIONS

Williams made no accusations against President Johnson, Agriculture Secretary Orville Freeman or any commodity speculators.

He simply told the Senate that reports on an Agriculture Department investigation of soybean purchases prior to a February speech by President Johnson "raises questions that should be answered."

The Delaware senator, formerly a grain dealer in Millsboro, Del., is one of the most knowledgeable members of the Senate on agricultural commodities.

The Agriculture Department currently is conducting its own investigation of the activity in the soybean market in the period just prior to Mr. Johnson's Feb. 10 "Food for Freedom" speech in which he said the administration would take action to expand soybean production.

The Department of Agriculture press office said Thursday that the investigation under Inspector General Lester P. Condon is not yet completed. The investigation is expected to be completed within a few days.

The department's investigation has been limited to the period of time a few hours prior to the speech by Mr. Johnson. Advance copies of the speech were given to newspaper reporters at 10 a.m., and stories based on the advanced speech text were on the news wires before 11 a.m.

"NO, UNUSUAL ACTIVITY"

Some Agriculture Department officials argue that the fluctuation in the soybean futures market was only a little more than 2 cents in the period prior to the speech, and that consequently it can be reasoned that there was no unusual activity.

Williams contends that there must be a complete investigation outside of the Agriculture Department itself and his resolution asks a determination of the following questions:

1. Whether there was "an unauthorized and premature release or disclosure of information with respect to the decision of the President to call for an increase in the production of soybeans or other agricultural commodities."
2. Whether any such "release or disclosure enabled any person or persons trading in soybeans or other commodities to make substantial profits."
3. Whether "subsequent decisions of the Department of Agriculture of any officer or agency thereof have been influenced or affected as a result of such release or disclosure."
4. Whether "there has been any illegal or improper activity on the part of any officer

or employee of the United States or any other person in connection with such release or disclosure."

Williams and others in Congress and in the Agriculture Department have been concerned over a pattern of unusual activity in handling highly sensitive information concerning agricultural commodities.

Normally there is the tightest security on crop reports or other announcements that may influence the markets, but there have been notable deviations from this tight security in recent months. In some instances the security has been most casual.

In his Feb. 10 message to Congress calling for an expanded overseas food aid program, the President also made several announcements affecting domestic production of rice, soybeans, and dairy products.

To meet the total needs of overseas aid, domestic consumption, commercial exports, and adequate emergency reserves, the President stated with regard to soybeans:

"The demand for soybeans has climbed each year since 1960. Despite record crops, we have virtually no reserve stocks. To assure adequate supplies at prices fair to farmers and consumers, the secretary of agriculture will use authority under the 1965 act to encourage production of soybeans on acreage formerly planted to feed grains. Feed grain stocks are more than sufficient."

NOON RELEASE

This presidential message was scheduled for noon release to Congress, but the press was briefed about 2 hours earlier.

Wire services carried stories about an hour before the noon release time, but cautioned that the information was not to be printed or broadcast until noon. Numerous persons in the commodity business take a wire service.

Shortly after noon, the Agriculture Department issued an order implementing the President's statement on soybeans.

The department said that farmers could plant soybeans instead of feed grains on acreage signed up in the feed grains program and still receive their direct payments for feed grains.

In other words, the farmer would receive a direct payment as if he were growing feed grains, but wouldn't actually grow them. To the extent farmers took advantage of this option, the administration reasoned there would be less of a feed grains surplus and more soybean production.

The effect of the presidential announcement and Agriculture Department order would be to lower the price of long-range soybeans futures—that is soybeans to be delivered at a later date.

SUPPLY GREATER

The reasoning for a commodity market reaction of lower future prices would be that supply would be greater, thus prices would go down.

During the day of Feb. 10, long-range soybeans futures on the Chicago commodity market dropped in price.

Futures contracts for delivery in November, 1966, dropped four cents a bushel to close at \$2.67½, and January, 1967, futures dropped 4½ cents a bushel to close at \$2.70½.

The Agriculture Department is investigating whether speculators made profits in the futures market by having advance information of the government action.

A speculator with advance information would "sell short" with the expectation that he would make a profit covering his sales after the price dropped.

In other words, the speculator would sell soybeans he did not own; then buy soybeans to cover his sales after the price had dropped.

An Agriculture Department official said the decision to encourage soybean planting on feed grain acres was made at least several days prior to the President's announcement.

This official said that a number of Agriculture

Department officials knew about the impending decision at least the weekend before the Feb. 10 announcement.

The Agriculture Department official said it is possible that a knowledgeable speculator could have found out or guessed the soybean message was forthcoming.

But the official said the department did not feel that the announcement would have a very substantial effect on the market.

The official said that the Agriculture Department—following its normal procedures—would not make public information affecting the commodity markets during the course of a trading day. He said an announcement would be made either before the market opened in the morning or after it closed in the afternoon.

The Agriculture Department announced Thursday that it would purchase butter at above the support price for the school lunch program. This announcement was made after the markets closed. An informed source said the department was about to announce the butter decision two weeks ago, but pulled it back because of fears that a news leak would give speculators an advantage.

The Agriculture Department official said that President Johnson and other presidents before him have sent messages to Congress and made other announcements during the trading day.

Representative ANCHER NELSEN, Republican, Minnesota, in a House speech Tuesday noted that a Defense Department decision to reduce its pork purchases earlier in the year was handled in a manner which could have given certain speculators and advantage.

The Defense Department decision to reduce its pork purchases by 50 per cent was not made public generally until seven weeks after it was reached. But persons in the meat packing business had no trouble learning on the decision.

The pork purchasing decision has now been reversed.

There also has been speculation in some commodity trading circles that insiders gained early information of a Commerce Department decision reducing hide exports. This order has since been modified, again following protests from farmers.

In the cases of soybeans, pork or hides, a speculator theoretically could have made money by betting that the eventual public announcement would result in lower market prices.

[From the Des Moines Register, June 4, 1966]

LIMITED PROBE OF SOYBEAN LEAK

(By Nick Kotz and Clark Mollenhoff, of the Register's Washington bureau)

WASHINGTON, D.C.—Agriculture Secretary Orville Freeman Friday said a "limited" investigation was conducted of allegations of a "leak" of information on government plans to increase soybean production.

The investigation, limited to the soybean market in a few hours on February 10, resulted in a report that there was "no mishandling of information on the part of any government employee."

Senator JOHN J. WILLIAMS, Republican of Delaware, said he still wants a "full and complete" investigation by the Senate Agriculture Committee.

He added that to be conclusive the investigation would have to cover an extended period of time before and after Feb. 10 when President Johnson made a "Food for Peace" speech in which he announced the administration policy to encourage soybean production.

Williams said that an investigation limited to Feb. 10 "would be inadequate."

He has filed a resolution with the Senate asking for a full investigation of soybeans and other agricultural commodity speculation, and the handling of information by the Johnson administration.

Representative H. R. Gross, Republican, of Iowa, declared that there has been evidence of "loose handling" of commodity information that might be beneficial to speculators. He said there should be "a complete investigation by Congress."

NOTES ESTES LAXITY

"I don't believe that the Agriculture Department's investigation of itself should be the final word," Gross said. "Freeman was noticeably lax in the handling of the Billie Sol Estes matter, and I don't believe Congress should let this matter drop on the basis of some limited investigation."

Freeman said the investigation was limited to Feb. 10 because the complaint to the Agriculture Department had involved allegations of premature release of information from President Johnson's message on that date that had resulted in profitable soybean speculation.

The one-page press release on the investigation by Inspector General Lester P. Condon stated: "There was normal, widespread advance dissemination of the (President's) message to the news media for release at 12 noon Feb. 10, 1966."

"CUSTOMARY ADVANCE"

The report stated that articles based on the message text were disseminated "in a customary advance 'hold for release' manner by news wires services and other media."

However, the Agriculture Department report admitted that in the period prior to the President's speech there would have been the possibility of widespread dissemination of information that would have been valuable for soybean speculation.

Other agriculture department sources had told The Register that there were drafts of the President's message and the policy position on soybeans circulated throughout the Agriculture Department the weekend before Feb. 10, which would have been as early as Feb. 4 and 5.

Freeman acknowledged that there had been wide circulation of policy papers and drafts of the soybean message several days before the Feb. 10 speech. He said he did not know the details of this because he was out of the country, but added that this would not have violated the strict security that covers department crop reports and other commodity decisions.

Freeman discounted the possibility of any commodity speculators making a killing on information on the contents of the message in which the President announced he had directed the Secretary of Agriculture to encourage the production of soybeans on land formerly planted to feed grains.

Freeman said the drafts by the Agriculture Department were not important because they might be changed in the White House. He said he did not know when this specific decision became final, but that he "would suspect only at the very last minute as is usually the case."

"There would have been no one who could have said with any assurance that that section would be in that message until it was actually released by the President and he gave his go-ahead," Freeman said.

Freeman referred most questions on the soybean investigation to Inspector General Lester Condon.

After the press conference, Condon indicated that the complaint of a "leak" involved only a limited time period on Feb. 10, and that his investigation involved only a limited time and a few possibilities.

Condon offered the following explanation:

An official in the Grain Trade in Chicago, Ill., complained to the department that someone had made money in the soybean futures market on Feb. 10 by having advance information that the President was going to announce action encouraging more soybean production.

PERSON NOT NAMED

This complainant, who Condon declined to name, did not name the person who supposedly had made the profits.

Condon's staff deduced there was only one person in the market who could have made substantial profits on Feb. 10 by operating on advance information, early in the day.

One man, whom Condon identified only as an experienced large commodity trader who lives in the deep south, sold about 1.2 million bushels of November, 1966, soybean futures in the period between 11:24 a.m. and 12:30 p.m.

This man was the only trader selling large amounts of soybean futures that morning.

The theory of profit taking would be that the trader "sold short" that morning when the price was \$2.71 a bushel and then took his profit by buying late in the day or in the succeeding few days after the price had dropped to \$2.67 per bushel.

Market analysts said at the time that the price of November and January futures dropped as a result of the President's order which would encourage more soybean production.

Condon said that his office did not check what large transactions the trader from the deep south made in the few days prior to Feb. 10 and did not check on what transactions he made after he sold 1.2 million bushels the morning of Feb. 10.

Thus, Condon acknowledged that his investigation did not have information to show whether the trader actually had taken his profit by buying at the cheaper price later to cover his 1.2 million bushel sales on the morning of Feb. 10.

Condon's point was that the trader's transactions took place between 11:24 and 12:30 at a time when hundreds of other persons also knew about the President's forthcoming order.

Anyone with a ticker from the two wire services would have known that the order was forthcoming after 10:15 a.m., Condon said. Many trading firms as well as communications media have the wire service.

He said that the story was placed on the wires following a White House briefing at 10 a.m. to prepare reporters for the President's noon message to Congress.

Condon stressed that the investigation was limited to the complaint that sales were made that morning with advance information.

The investigation did not take into account any of the possibilities of profit-taking movements made earlier or after the morning of Feb. 10, either by the suspected trader or by anyone else.

Neither Freeman, Condon, nor other Agriculture Department staff members could answer the question of when the President gave final approval to the soybean section of his Food for Peace message.

But, Agriculture Department officials acknowledged that the soybean directive was not changed by the White House from the form in which it was drafted by the department at least five days or so earlier.

Freeman's point was that a trader could not have been certain with advance information, because the President often changes messages and orders at the last minute.

Freeman also was questioned over possible speculative advantage taken when the Defense Department cut its pork purchases by 50 per cent earlier this year. The order now has been rescinded.

Senator WILLIAMS has called for inquiry into possible information leaks and resultant speculation in pork belly futures.

Freeman said he did not think that the pork order had any effect on the market, and thought that information on that order was handled satisfactorily.

The first general news story on the order appeared seven weeks after the order became effective.

[From the Des Moines Register, June 7, 1966]
FREEMAN IN BID TO SHIFT PORK "HEAT"—HE DEPARTS FROM ASSUMED FACTS

(By Nick Kotz, of the Register's Washington bureau)

WASHINGTON, D.C.—At his press conference last Friday, Agriculture Secretary Orville Freeman departed from the known record in his latest explanations of why the Defense Department temporarily cut its pork purchases.

Seeking to explain Freeman's departure from previous assumed facts on at least six points, a Freeman aide said that the issue was now a completely political one in which facts have become irrelevant.

Another Freeman aide said Freeman spoke as he did because the decision actually was made by the President and Council of Economic Advisers. Freeman had no choice, said the aide, except "to play a game."

Nevertheless, reporters who have written about the pork purchasing decision, repeatedly shook their heads in puzzlement as Freeman answered about 15 questions on the subject.

AT VARIANCE

Freeman's explanations Friday are at variance with Defense Department and Agriculture Department records, orders, letters, and policy practices on such questions as:

Why the Defense Department cut its pork purchases by 50 per cent? What effect this decision had on the market? At what time was the decision announced to the public? What is the department's policy on information involving large government purchases? What was the Agriculture Department's role in formulation of the original decision to cut pork purchases?

The Defense Department on Feb. 17 reduced by 50 per cent for a six-month period its purchases of prime pork products.

The order generally became known after news stories seven weeks later on Apr. 6. The order was reversed May 7 following a month of protests from farmers and farm state congressmen.

At the time the order became public, top executives in both the Agriculture and Defense Departments said the cut was designed as an anti-inflationary measure.

These officials said the decision was made at the White House level with the Agriculture Department recommending the decision to Defense, the Council of Economic Advisers and others present.

RECOMMENDED ACTION

Although the Agriculture Department refuses to make public the text of the letter, Freeman in a "Dear Bob" letter to Defense Secretary Robert McNamara on Jan. 22 recommended exactly the action taken on Feb. 17 cutting pork purchases.

Freeman recommended cutting pork purchases and several other products "... to help keep domestic food prices in line."

According to authoritative accounts never denied by the Agriculture Department, Freeman also wrote in the letter:

"As you know the President wants us to help minimize the price impact of Defense Department food purchases. With hog and cattle marketings down, retail food prices will continue to provide serious price stabilization problems over the next several months."

ONLY 2 PERCENT

Freeman wrote that even though Pentagon food purchases are only 2 per cent of the U.S. total "the timing and composition of purchases can be important to price stability."

Although the Defense Department still refuses to make public the text of its resultant order cutting pork purchases, The Register has obtained copies of the Feb. 17 order and the Jan. 19 and Feb. 4 general memorandums on the subject of Defense Department influence on consumer prices.

The order and the two memorandums, all sent by Assistant Defense Secretary Paul Ignatius to the various armed services, stress that the reason for reducing pork purchases was to "minimize the impact of its food purchases on consumer prices." Ignatius notes Defense is following the recommendations of the secretary of agriculture.

Freeman contended Friday, however, that the Agriculture Department played little or no role in the decision and had nothing to do with consumer prices.

The following exchanges at the press conference are relevant:

Question: "Isn't that something you are involved in very much, I mean the purchase policy in the Defense Department of this magnitude?"

Answer: "No, really not."

Question: "It isn't?"

Answer: "No. The Defense Department buys in the market according to the requirements, where they can maximize their dollar and meet their nutritional requirements."

Question: "Was that the point here?"

Answer: "Sure."

At this point a Freeman aide interjected: "The Defense Department did it."

CONSULTED

Freeman continued: "They did it; we didn't."

Question: "No co-ordination?"

Answer: "They consult with us about what the market is likely to be and prices are likely to be, but it is exclusively a Defense Department decision."

Question: "They weren't interested in affecting the market at all with this matter?"

Answer: "No, not at all—no involvement whatsoever, and it didn't affect the market any that I know of."

A few questions later, any knowing listener realized Freeman's entire account varied with his answer to another question.

Asked whether he had not two weeks before the initial decision, recommended it in detail to McNamara in a letter, Freeman simply replied "Yes."

SOMEONE ELSE

At another news conference on Apr. 15, Freeman had said that he didn't personally have anything to do with the decision.

A high Agriculture Department official offered the explanation for Freeman that someone else in the department other than Freeman had written the "Dear Bob" from "Orville" letter.

Then Freeman said that the issue "got ballooned out of proportion as if it was going to have a major effect and was a major agricultural price-depressing situation" and added that "it got to be a political issue which a number of people started playing games with."

Freeman said: "The truth of the matter is they weren't buying some bacon and weren't buying some other things, but they were buying other things, hams instead of bacon."

LOWER-PRICED ITEMS

However, the Defense Department order to reduce prime pork purchases, was interpreted by both Agriculture and Defense to mean "bacon, ham and pork chops."

The order instructed substitution of lower-priced items such as "poultry, eggs, sausage, turkey, seafood and selected beef items."

Agriculture Department officials and Democratic congressmen have complained that news stories failed to mention that farmers would be benefited by substitution of these other products for prime pork.

On other questions concerning the pork order, Freeman's answers did not jibe with generally accepted facts.

Several congressmen have pointed out that the Defense Department's handling of the pork order would have permitted certain individuals to have "inside information" while the general public did not know about it.

The first general news story on the order was carried by the Associated Press on Apr. 6, seven weeks after it was issued. But Defense Department officials acknowledged that supply personnel were routinely informing meat packing firms of the decision.

Questioned about a resolution by Senator JOHN WILLIAMS, Republican of Delaware, requesting an investigation of information on handling of the pork order and other orders affecting soybeans and hides, Freeman replied:

"No, I don't know myself where the complaint about allegedly not making information available on the pork thing is concerned, because it was available. It was known and announced, and it was given unusual attention."

"We don't normally announce that information. Changes in purchase policies are made according to exigencies of the marketplace, and are known after the fact, not before the fact."

"And in this case, this was followed, and subsequently there was all kinds of attention on it, and I have never been able myself to understand where the complaint came from that information was being withheld."

NO LAXITY?

Question: "Well, it is your position as of now, then, that all of this was handled with the proper security and with no laxity at all?"

Answer: "There were no market implications on the pork thing anyway. That had no effect on the market."

This comment seems inconsistent with Freeman's letter to McNamara recommending the order as a means "to help keep domestic food prices in line," as a means "to help minimize the price impact of defense food purchases" and as a significant means of affecting prices.

Freeman became vaguer on details when questioned again about when the Defense Department order became public.

PURCHASE POLICIES

Question: Mr. Secretary, on that pork, was it not true that the information got out many weeks later after the decision was made?"

Answer: "I don't know exactly. Let me repeat again that purchase policies are not something that we make much of."

Yet on Thursday, the day before the press conference, the Agriculture Department was making much of its purchase policies and how information handling about them can possibly affect the market.

The department specifically waited until after the markets closed Thursday to announce that it would take bids to buy butter at above price support levels for the school lunch program.

The department had started to issue the order two weeks earlier but pulled it back, because it feared that a premature "news leak" had given a market advantage to some persons.

FREEMAN PRESS CONFERENCE, JUNE 3, 1966

Question: Mr. Secretary, has your Inspector General's soybean investigation been completed? Do you have anything to tell us about that?

Secretary FREEMAN. Yes, the report has been completed, and it will be released possibly today, or certainly the first part of next week.

Question: I have a question to ask you concerning the investigation—concerning the nature of the complaint: Did a person or persons in the grain trade complain that another person in the trade had taken unfair advantage of him due to having advance information of the February 10 order?

Secretary FREEMAN. That is two questions. I can answer the first one. I am informed that yes, a complaint was made, that one

had information. As to whether that person was identified, and the nature of what he did, I have not read the report in detail, and I don't know the answer to that question. I am sure that information will be available when the report is released.

Question: Is there anything in this soybean speculation limitation as to time? My understanding is it was limited to that February 10 date.

Secretary FREEMAN. That is my understanding.

Question: To February 10 itself?

Secretary FREEMAN. To the complaint that was registered that reviewed the circumstances and conditions around that complaint.

Question: Was there no effort then made to look into the circumstances several days earlier, a week or so earlier, and information I understand would have been available in the Department relative to what the decision was?

Secretary FREEMAN. I would have to check the report on that. You could talk to the Inspector General, which I think you have done.

Question: I just wondered what your situation—

Secretary FREEMAN. I don't know.

Question: What you know about it, and whether there was an effort made to limit this thing to the one day when you had information floating around here. As I understand it, over the weekend prior to that—

Secretary FREEMAN. I don't recall too much, but I don't think there was any information floating around, Clark, because a decision had not been made as to what would be in that message. I was out of the country.

Question: There were no memoranda floating around the Department the weekend prior to that?

Secretary FREEMAN. There were all kinds of memoranda and all kinds of speech drafts, but the decision on it was made over on Pennsylvania Avenue, and those decisions are usually not made too far ahead of time, as you are well aware. I was not here. I was in Vietnam.

Question: It is a pretty good indication—the drafts, if you have those ahead of time, which we once in a while run into, are pretty good indicators of where things are going.

Secretary FREEMAN. Quite the contrary. I would be forced to disagree with you. I have found sometimes they are pretty good indications of what is not going to happen.

[Laughter.]

Question: Have you got a couple of good examples you want to tell us about?

Secretary FREEMAN. Let's you and I go and have a cup of coffee sometime. I don't want to be publicly exposed. [Laughter.]

Question: Mr. Secretary, your dairy action of yesterday, to offer to purchase butter under 709, the new law—this didn't work so well not so long ago. How far are you going to go into it before you go into support increases?

Secretary FREEMAN. I'm afraid we'll have to say, "We'll see." The amount we will buy will depend on what they are willing to take at a fair price.

Question: Would you be willing to go a little higher than before?

Secretary FREEMAN. I guess a little higher, or we wouldn't have tried again.

Question: Mr. Secretary, getting back to the February 10 soybean decision, to your knowledge when was this decision finally firmed up by the White House? On what day?

Secretary FREEMAN. I don't know, Nick, but I would suspect only at the very last minute, which is usually the case. The President reads these messages and meditates over them, and it is quite usual they will be changed minutes before the announcement. In this case, this was an area in which it was

subject to change, and we all knew that, because it was an area that had some implications, budgetwise, had some implications in terms of prices, and it was obviously quite sensitive.

So, I repeat, I was not here, but if this pattern—and we can read the Inspector General's report when it comes out—but there would have been no one who could have said with any assurance that that section would be in that message until it was actually released by the President and he gave his go-ahead. And, as I say, I don't know precisely where that is, but I think the report will probably show it.

Question: Senator WILLIAMS yesterday put a resolution in asking for an investigation of this whole area, the whole soybean matter, and I guess it is considerably broader than that, relative to the subject of release of information in these commodity areas.

Have you found any problem yourself in the release of information? The hides field—there has been some complaint—the decision in Defense on pork. By hindsight, do you see there was anything that was done—

Secretary FREEMAN. No, I don't know myself where the complaint about allegedly not making information available on the pork thing is concerned, because it was made available. It was known and announced, and it was given unusual attention. We don't normally announce that information. Changes in purchase policies are made according to the exigencies of the marketplace, and are known after the fact, not before the fact. And in this case, this was followed, and subsequently there was all kinds of attention on it, and I have never been able myself to understand where the complaint came from that information was being withheld.

Question: Well, it is your position as of now, then, that all of this was handled with the proper security and with no laxity at all?

Secretary FREEMAN. There were no market implications on the pork thing anyway. That had no effect on the market. The soybeans, of course, are a sensitive thing in the market.

I think I can answer your question by saying we take very stringent and strong measures here in the Commodity Credit Board and in the release of information, as you are well aware, on the crop reports and estimates. We have a highly developed and very sophisticated security system on the crop reports, which are the most sensitive.

Question: You feel that the others lived up to that same high standards in the handling of these other matters, including the soybeans and pork and other things—they have all retained that same high quality?

Secretary FREEMAN. As far as I know, yes, as far as I know.

Question: Mr. Secretary, on that pork, was it not true that the information got out many weeks later after the decision was made?

Secretary FREEMAN. I don't know exactly. Let me repeat again that the purchase policies are not something that we make much of.

Question: From time to time, when you end a purchase program, you announce it ahead of time here.

Secretary FREEMAN. Well, I don't know what their policies are in connection with it. I really can't answer the question.

Question: Mr. Secretary, isn't that something you are involved in very much, I mean the purchase policy in the Defense Department, of this magnitude?

Secretary FREEMAN. No, really not.

Question: It isn't?

Secretary FREEMAN. No. The Defense Department buys in the market according to the requirements, where they can maximize their dollar and meet their nutritional requirements.

Question: Was that the point here?

Secretary FREEMAN. Sure.

STAFF MEMBER. The Defense Department did it.

Secretary FREEMAN. They did it; we didn't.

Question: No coordination?

Secretary FREEMAN. They consult with us about what the market is likely to be and prices are likely to be, but it is exclusively a Defense Department decision.

Question: They weren't interested in affecting the market at all with this matter?

Secretary FREEMAN. No, not at all—not involvement whatsoever, and it didn't affect the market any that I know of.

Question: Mr. Secretary, just as a matter of history, can you tell us now why it was that Mr. Vance wrote a letter on a Monday saying that the pork purchase policy would remain in effect until September, and it was just a day later that your exchange of letters with Secretary McNamara occurred turning this thing around.

Secretary FREEMAN. I don't know. It would be conjecture on my part, because I am not Mr. Vance, and I haven't discussed it with him, but perhaps what happened to him is something that sometimes happens to me, that I get something from someone that seems to have credence, and something the next day that contradicts it. Then I get angry and try to find out who sent me misleading memoranda so I don't know.

Question: Mr. Secretary, on the pork purchases, isn't it a fact that about two weeks before the initial decision to cut purchases by 50 per cent, under your signature there went out a "Dear Bob" letter to Secretary McNamara, recommending in detail exactly what he did, cutting pork purchases 50 per cent?

Secretary FREEMAN. Yes.

Question: What was your purpose, to take care of the Armed Services and their budget?

Secretary FREEMAN. To cooperate with my colleague who is trying to run as frugal a Department as he can.

Question: Mr. Secretary—

Secretary FREEMAN. That is a laudable objective, don't you think, Bill?

Question: It sounds that way.

[Laughter.]

Question: Was your letter written at the direction of the President?

Secretary FREEMAN. No, no.

Look, let's not play games. This is a sensitive thing. The Defense Department, because prices of pork went up, cut back on their purchasing. This then got ballooned out of proportion as if it was going to have a major effect and was a major agricultural price-depressing situation.

The truth of the matter is they weren't buying some bacon and weren't buying some other things, but they were buying other things, hams instead of bacons. There were all sorts of adjustments that were perfectly normal and perfectly usual. This then got to be a political issue which a number of people started playing games with.

As a part of that, we took a look, and by that time the prices of pork went going down. It was perfectly consistent that pursuant to long-standing policy the Defense Department now would go back into buying some of these items that now cost less. At that point I talked to my colleague and squash partner, Mr. McNamara, and said, "Look, here's the situation in connection with it, and I wish you'd take a look at this and if you can do this, this will be just generally helpful. It will help to meet some of these charges that just aren't true."

And he said, "Drop me a note in connection with it, and I will look into it."

I came back and wrote him what has been called a "Dear Bob" letter, and a lot has been read into this.

It is just that simple. Some people started playing politics with the fact the Defense Department wasn't buying pork for a while because it cost too much. When the price dropped, I said, "Please buy some because

we can meet these political charges that are phony."

He said, drop me a note," and he checked with the purchasing people and thought he could buy some, and that is what he did.

Question: In connection with the political business, how do you feel about Horace Godfrey's letters out to the State committees? Do you think that was a good thing to do?

Secretary FREEMAN. I don't see anything political in it. I think it is a matter of informing some of these committeemen who had written in and asked about it. He is now sending out some briefs.

Question: You don't see anything political about it?

Secretary FREEMAN. No.

Question: That is interesting, too. Thank you, Mr. Secretary.

(Whereupon, at 10:43 a.m., the press conference was adjourned.)

Mr. MILLER. Mr. President, I supported the amendment offered by the Senator from Delaware, which was accepted by the Senate, relating to the \$10,000 maximum payments to be made under the bill. I cannot understand why it was rejected in the conference report.

My recollection is that the distinguished Senator from New Mexico [Mr. ANDERSON], a former Secretary of Agriculture, strongly supported this amendment. It seems to me that since we are dealing primarily with disaster-type legislation, in which no differentiation is made between the farmer who has incurred the expenses of cultivating and planting a crop and the farmer who has not, some limitation certainly ought to be placed in the bill.

I hope that the Senate will insist on the amendment which was eliminated by the committee of conference.

Mr. MAGNUSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MAGNUSON. I should like to ask if the Senator from Louisiana and the Senator from Delaware can approximate how much time their discussion will require. Many Senators have asked me about the status of the pending bill. Could the Senator from Delaware advise me?

Mr. WILLIAMS of Delaware. I can promise that I shall keep my remarks as brief as possible. I cannot estimate the time because I really do not know how much time will be necessary.

Mr. ELLENDER. I have finished.

Mr. MAGNUSON. The problem is that an amendment ought to be pending, and that Senators may know whether the bill will go over until tomorrow or whether they should remain in attendance in anticipation of a vote on the truth in packaging bill.

Mr. COTTON. Should not an amendment be pending?

Mr. WILLIAMS of Delaware. Really the discussion of this conference report is germane to the pending bill, because the bill before the Senate relates to truth in packaging and I am trying to get a little truth in Government. This is appropriate. Therefore, the discussion on the conference report is germane, even if it has to go over until tomorrow. I am only trying to outline the truth concerning this give-away proposal.

Mr. MAGNUSON. I am merely trying to get some truth as to how long the Senator from Delaware will speak.

Mr. WILLIAMS of Delaware. I shall take whatever time I believe is necessary to do the job.

Mr. MAGNUSON. Very well.

Mr. WILLIAMS of Delaware. I am not going to try to delay the matter, but I am not going to be under any restricted time, either.

The Senator from Iowa mentioned the fact that last week I offered a resolution requesting the Agriculture Committee to investigate a leak which developed in connection with an announcement made by the President concerning the soybean program. The President has recognized that a leak occurred, and according to the press he has asked the Inspector General to investigate the matter.

The Agriculture Committee should also investigate the matter, because leaks such as this affect markets and hurt the American farmers.

Since offering the resolution, however, I have found out substantially what happened.

In the past, when the Department of Agriculture has been about to make a major announcement affecting prices, the custom always has been to make such an announcement after the market closes and before it opens in the morning.

In this instance, the President felt that this announcement would be favorable to the farmer, and so he issued instructions that instead of the announcement being made that night it be held over until his next press conference, which was scheduled for the next day at noon, so that he could make this politically popular announcement himself.

I understand that in order to obtain broad coverage of this announcement, a mimeographed statement was prepared for the press, and it was marked "not to be released before 12 o'clock."

With this background they do not have to do a great deal of investigating to find out who leaked this premature announcement.

Announcements affecting markets should be made by the Departments involved after the market closes and not held over for the President's press conference. All announcements should be made by the agency involved as soon as the determination is made and before the market is opened in the morning.

So long as these announcements are held up, as in this instance, to give the President an opportunity to make a grandstand speech, the next day markets will be affected.

Although we know how the leak developed in this instance, we should now learn who made the extra money as a result of knowing in advance that the favorable announcement was to be made.

Someone with this inside knowledge could have made a fortune.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MURPHY. Has it not been the custom to release these notices after the close of business that day, in order to prevent the possibility of anyone trading in futures in the commodities affected?

Mr. WILLIAMS of Delaware. Not only that has been the custom, but also the men in the Department who worked on the compilation of the statistics from which the decision would be made would go into a room on a certain day to compile and analyze these statistics. They would be locked in the room and would not be allowed to leave until the market had closed. They would then hand their decision to the Secretary, and it would be immediately released to the press. The announcement would be made so that all American citizens would have it before the markets opened the next day, and no one would have an opportunity to cash in on inside information.

In this instance the decision had to be sent to Pennsylvania Avenue so that by announcing it the President could receive credit. I now give him the credit for announcing it, but I also give him the credit for the leak.

FAIR PACKAGING AND LABELING ACT

The Senate resumed the consideration of the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Mr. COTTON. Will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COTTON. It is for the purpose of asking unanimous consent.

Mr. WILLIAMS of Delaware. Yes.

Mr. COTTON. Mr. President, in order that there may be an amendment pending on the packaging bill, is it in order to ask unanimous consent to present an amendment to be pending without the consideration of the conference report?

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator may do so, with unanimous consent of the Senate.

Mr. COTTON. I ask unanimous consent to be permitted to call up and have pending the amendment offered by the Senator from Kentucky [Mr. MORTON] No. 576.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the amendment.

Mr. COTTON. It is a fairly long amendment, and I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is on page 25, between lines 16 and 17, insert the following new section:

SEC. 8. In order to prevent certain unfair practices that deprive manufacturers and retailers of the protection they should enjoy on the basis of fair competition and to protect consumers by guaranteeing fair prices and quality goods and to assist consumers in making price comparisons, and for other purposes, section 5(a) of the Federal Trade Commission Act, as amended, is further amended by adding at the end thereof the following new paragraphs:

"(7) The owner of a brand, name, or trade-

mark shall be deemed to retain his property rights therein, and in the trade and public good will symbolized thereby, regardless of any sale or transfer of the goods to which such brand, name, or trademark relates, and no such sale or transfer shall be deemed to diminish or extinguish any such rights.

"(8) Any person who resells goods identified by a distinguishing brand, name, or trademark, either on the label, container, or dispenser thereof, may rightfully employ such brand, name, or trademark, but only in effecting the resale of such goods and subject to the following provisions of this paragraph. If goods usable for the same general purpose are available to the public from sources other than the owner of such brand, name, or trademark, and are in free and open competition therewith, the right of any person to employ such brand, name, or trademark in effecting resale of goods so identified may be revoked for a period not exceeding one year by the owner of such brand, name, or trademark, subject to the provisions of paragraph (10) of this subsection, on written and dated notice of revocation, if, within ninety days prior to the date of the written notice of revocation—

"(A) such person has employed goods bearing such brand, name, or trademark in furtherance of bait merchandising practices;

"(B) such person, after written notice given by such owner of such owner's currently established resale price or price range, has advertised, offered for sale, or sold any such goods, acquired by such person after he has been given such notice, at a price other than such currently established resale price or at a price not within such currently established resale price range; or

"(C) such person, with intent to deceive purchasers, has published a misrepresentation or misrepresentations concerning such goods.

The owner of a brand, name, or trademark who avails himself of the provisions of paragraphs (7) to (17) of this subsection for the purpose of establishing a resale price or price range shall thereby subject himself, without respect to the amount in controversy, to the jurisdiction of the district court, of the United States for any district in which goods identified by such brand, name, or trademark are offered for sale, but such jurisdiction shall apply (i) only for the adjudication of issues involving the goods covered by such paragraphs (7) to (17), and (ii) only if the owner of such brand, name, or trademark is not subject to process in the courts of the State in which such purchaser acquired such goods.

"(9) Notwithstanding revocation pursuant to paragraph (8) of this subsection of the right of a person, in reselling goods, to employ the brand, name, or trademark which identifies such goods—

"(A) such person may, in the regular course of his business and within a reasonable time after the date of such revocation, sell all such goods of which, on such date, he is possessed: *Provided*, That in such sale he shall commit none of the acts described in subparagraphs (A), (B), and (C) of such paragraph (8); or

"(B) if such person, promptly upon such revocation, shall have supplied to the owner of such brand, name, or trademark a correct itemized listing of the inventory of such goods with a statement of the price paid per item and the total price (including transportation costs) paid therefor, together with a firm offer to sell and deliver all such inventory to such owner at any time within ten days thereafter upon payment of such total price plus the cost of transportation to the owner in the manner directed by such owner, then such person, upon expiration of the ten-day term of such offer without

acceptance may so sell such goods in such inventory, in the regular course of his business and within a reasonable time thereafter, without restriction as to price, in which event each advertisement of, or offer to sell, such goods, shall state plainly that the right of the reseller, offering such goods, to employ in any way the brand, name, or trademark carried by the goods has been revoked as to any such goods not in that reseller's possession at the time of such revocation.

"(10) Any person whose right to employ a brand, name, or trademark has been revoked by the owner thereof pursuant to the provisions of paragraph (8) of this subsection, and who thereafter, except as authorized by paragraph (9) of this subsection, resells goods identified by such brand, name, or trademark, or who otherwise employs such brand, name, or trademark in effecting resale of such goods or any other goods, shall be liable in a civil action for damages and injunctive relief by the owner of the brand, name, or trademark, to prevent and restrain further violations of paragraphs (7) to (17), inclusive, of this subsection. Such owner may sue in any district court of the United States in the district in which defendant resides or does business or in which the alleged violation occurred, without respect to the amount in controversy, and shall be entitled to (i) recover the amount of any damages sustained, (ii) injunctive relief to prevent and restrain further violations of paragraphs (7) to (17), inclusive, of this subsection, whether or not specific money damages are established, and (iii) recover the cost of suit. Any injunction granted under clause (ii) of this paragraph shall remain in effect for not more than one year from the date it is granted unless it is the second or a subsequent such injunction issued against the same defendant in favor of the same plaintiff in which case it may be a permanent injunction; except that any such injunction, upon petition of such plaintiff, may be vacated unconditionally by the court granting it.

"(11) In any proceeding under paragraph (10) it shall be a defense for the defendant (A) to establish that the plaintiff has not used due diligence to effectuate observance or enforcement of plaintiff's rights under paragraphs (7) to (17), inclusive, of this subsection against other persons who are in substantial competition with the defendant and who are known to plaintiff to be violating the same subparagraph of paragraphs (8) of this subsection on which revocation of the defendant's right to employ the brand, name, or trademark was based or (B) to establish that the plaintiff has sold the same kind of goods of like grade and quality as the goods involved in such proceeding to another person similarly situated under terms more favorable or at lower prices than those under which the plaintiff offered such goods for sale to the defendant.

"(12) No action pursuant hereto shall preclude remedial action otherwise available for wrongful use of a brand, name, or trademark.

"(13) Paragraphs (7) to (17), inclusive, of this subsection shall apply to all acts and transactions of the character referred to therein, in or affecting commerce, which Congress may lawfully regulate, but where the owner of a brand, name, or trademark avails himself of any right or remedy provided in paragraphs (7) to (17), inclusive, of this subsection, such action shall not cause any act or transaction not otherwise in, affecting, or related to, commerce to be an activity or transaction in, affecting, or related to, commerce. If any State, by any provision of its constitution adopted, or by any law enacted, after this paragraph takes effect, prohibits resale price maintenance in such State through the exercise of paragraphs (7) to (17), inclusive, of this subsection, then, while such provision or law is in effect, such paragraphs shall not authorize the estab-

lishment or enforcement of any resale price or resale price range with respect to any resale in such State of any goods if such goods so resold are to be delivered from a place in such State to a purchaser in such State and are not to be resold again for delivery to a purchaser outside of such State.

"(14) As used in paragraphs (7) to (17), inclusive, of this subsection—

"(A) The term 'person' means any individual, partnership, association, or corporation.

"(B) The term 'goods' means goods, wares, and merchandise.

"(C) The term 'currently established resale price' means the price for goods identified by a brand, name, or trademark specified by written notice invoking paragraphs (7) to (17), inclusive, of this subsection given by the owner of such brand, name, or trademark to the person reselling such goods.

"(D) The term 'currently established resale price range' means all prices including and between the minimum and maximum resale prices for goods identified by a brand, name, or trademark, specified by written notice invoking paragraphs (7) to (17), inclusive, of this subsection given by the owners of such brand, name, or trademark to the person reselling such goods.

Each such currently established resale price and resale price range shall be uniform at each level of distribution, except for reasonable marketing costs. Such owner of the brand, name, or trademark may so establish, for resale of a combination of two or more items of goods, a resale price or price range different from the sum of the currently established resale price or price ranges for the items when sold individually. Such owner of the brand, name, or trademark may also engage in other promotional activities not made unlawful by any other statute.

"(15) All rights and remedies provided in paragraphs (7) to (17), inclusive, of this subsection, to owners of a brand, name, or trademark, shall be also available to any owner of a brand, name, or trademark who, in the sale of goods identified by such brand, name, trademark, shall compete, at any level of distribution, with any reseller offering such goods: *Provided*, That such owner shall sell such identified goods, at whatever level of distribution, only at the price or within the price range currently established by such owner for that level of distribution.

"(16) The following transactions shall be exempt from paragraphs (7) to (15), inclusive, of this subsection—

"(A) Sales of bulk commodities when sold without wrappers or containers.

"(B) Sales by any officer acting under the orders or authority of any duly constituted court; or sales by any person in mitigation of damages or enforcement of a lien or other secured interest in said goods, when such person is not primarily engaged in the distribution of goods for resale.

"(C) Sales of damaged, deteriorated, defaced, or secondhand goods, when plain notice of the condition of the goods is given to the public.

"(D) Sales of drugs, medicines, and devices for which either Federal or State law or regulations requires a prescription from a physician, dentist, or such other persons as the various States may authorize to prescribe such items.

"(E) Sales to or by the Federal, State, or municipal governments or their political subdivisions or agencies.

"(F) Sales to charitable, educational, medical, and religious organizations, for their own use and not for resale.

"(17) If any provision of paragraphs (7) to (17), inclusive, of this subsection or the application of any such provision to any person or circumstance shall be held invalid for

any reason it is the intention of the Congress that the remaining provisions thereof shall not be affected but shall remain in full force and effect."

Mr. MAGNUSON. Mr. President, if the Senator from Delaware will allow me, I ask unanimous consent—

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. WILLIAMS of Delaware. I yield.

Mr. MAGNUSON. I ask unanimous consent for the yeas and nays on final passage of the Fair Packaging and Labeling Act.

The yeas and nays were ordered.

TO PERMIT THE PLANTING OF ALTERNATE CROPS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

Mr. WILLIAMS of Delaware. Mr. President, it would be well to outline what the bill before us seeks to accomplish and then what the amendment which I added to the bill would accomplish.

Under existing law if the farmers—we speak first of cotton farmers—plant their crops and the crops are destroyed by an act of nature because of drought or because of extremely wet weather—they can collect payments from the Federal Government of 9 to 10 cents a pound for their average yield of cotton. This amounts to approximately \$50 per bale of cotton. Assuming a 1-bale acreage yield they can collect \$50 per acre. If it is a 2-bale acreage yield they can collect \$100. As the Senator from New Mexico pointed out the other day, with a 4-bale yield in his area they can collect as much as \$200 per acre. In addition, after this crop loss they can then plant soybeans. That is the existing law, and this situation is not affected at all by the rejection or acceptance of the proposed bill or the proposed amendment.

A second provision of the existing law concerns the farmer who has a cotton allotment and who was going to plant cotton but it rained or was too dry, and he did not plant his cotton. That man under existing law can still collect as much as \$50 per bale for every bale produced, which averages from \$50 to \$100 and sometimes goes up to \$200 per acre, but he cannot plant an income-producing crop on this acreage. The payment he receives under existing law is for a crop which he has never planted. Remember this farmer has had no cost whatsoever for seed, fertilizer, or labor.

The pending bill provides that this same individual, who has not planted his crop and who because of an act of nature found conditions were not suitable for the crop to be planted, could still collect the payments as provided under existing law—that is, \$50 per bale for the previous production and in addition be allowed to plant soybeans on this same acreage. The bill as originally reported gives him a right, in addition to collecting these

payments, to raise a crop of soybeans on the same land. The amendment I offered would limit payments in this latter case to \$10,000 per producer.

The amendment I offered dealt not with price supports at all. It merely provided that if the farmer elected to raise a crop of soybeans on the land, which he had not plowed or planted, the maximum payment he could collect would be \$10,000. My amendment had nothing whatever to do with his payments on diverted acres or with price supports. That was very clear.

If Senators will read the letter which the chairman of the committee has submitted I think it will be admitted that that letter from the General Counsel does not say that they would so interpret the amendment. It merely says that the Williams amendment "may" mean the adoption of a one-price cotton.

Then, continuing, he said that "if" it relates to price supports it "would seem" to do certain things. This is a fuzzy way of writing a letter. It is interesting to note that this letter is signed by Mr. John C. Bagwell, General Counsel of the Department of Agriculture.

That name seemed familiar to me when I saw it. I began to wonder where I had heard the name before. Mr. Bagwell has been with the Department for quite a while.

For some reason the name rang a bell. I looked in the files and found that the competency of Mr. Bagwell had been questioned before the Government Operations Committee. Mr. Bagwell is the same man who wrote the fuzzy rulings that said Billie Sol Estes' activities were legal. He is the same man who wrote the rulings and who testified before the McClellan committee. At that time he was strongly censored by the McClellan committee for his confusion in trying to justify the illegal acts of Billie Sol Estes by declaring them legal under the regulations of the Department.

I have no confidence in any man who considered Billie Sol Estes' activities to be proper, and as far as I am concerned Mr. Bagwell represents nothing more than an administration rubberstamp.

Mr. Bagwell was strongly criticized by the McClellan committee as to his competence.

I shall read just one sentence of their report:

Bagwell said that the renegotiations could be supported as a legal matter.

Mr. Bagwell was referring to Mr. Billie Sol Estes' activities. This is the man who in 1961 gave the Department a ruling which said it could declare all the activities of Billie Sol Estes to be legal.

That is the man who is now trying to interpret this amendment. No wonder there is confusion. I realize that Billie Sol Estes is out of business now. However, it is interesting to note that if Mr. Bagwell had had his way and Billie Sol Estes had been able to continue his operations, his payments would be limited by this amendment.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. Mr. President, what is the date of the letter from Bagwell?

Mr. WILLIAMS of Delaware. June 2. Mr. MILLER. To whom was that letter directed?

Mr. WILLIAMS of Delaware. To Mr. Cooley.

Mr. MILLER. Was that letter written for the purpose of obtaining the Department's position on the bill as amended in the Senate for the purpose of the consideration of the conference committee?

Mr. WILLIAMS of Delaware. The Senator is correct. It was written to the conference committee in an effort to persuade them to reject an amendment on which the Secretary of Agriculture had said in a press conference the day before he would have to recommend a veto if it were accepted. The administration is opposed to any limitations. They want to protect these large operators.

Mr. MILLER. May I ask the Senator to repeat what he said in the letter? As I understand, he gave no definite opinion. He merely conjectured that it might be this and it might be that.

Mr. WILLIAMS of Delaware. The letter is in the RECORD, but I shall read two interesting sentences:

It seems clear that the Williams amendment may mean the end of the one-price cotton program enacted into the Food and Agricultural Act of 1965.

Mr. MILLER. Did he say why?

Mr. WILLIAMS of Delaware. No, and he only said, "may." I continue to read:

We interpret this language to mean that any price support payment which could not be made except pursuant to amendments added by H.R. 15151 ("this Act") cannot exceed \$10,000 to any one producer.

In the last paragraph he said:

For these reasons the Williams amendment would seem to require a return to the outmoded two-price cotton program.

He said that it "may" do certain things and if so it "would seem." This vagueness is what aroused my interest. His name seemed familiar. I recalled after I read this fuzzy language that it was the same man who had written the fuzzy interpretation concerning Billie Sol Estes' activities and had said that in his opinion they would be legal.

Mr. MILLER. It concerns me that the conference committee knocked out the amendment that the Senate put in the bill. The conference committee seems to have done this on the strength of a legal opinion which does not sound very definitive to me.

During the debate on this measure—and my friend, the Senator from Louisiana, was not present the other day—it was emphasized that time was of the essence. I offered an amendment to refer the bill to the Committee on Agriculture and Forestry. I even offered to do it for a time certain, to have the bill reported back today. I knew that the Committee on Agriculture and Forestry was going to meet this morning.

All that I heard from the Senator from Tennessee and two or three of his colleagues was that time was of the essence and that all kinds of catastrophies would occur if the bill were not passed at that time.

A week later we are still fighting over the bill. If my motion had been agreed to, I believe that the Committee on Agri-

culture and Forestry would have acted on the bill this morning and perhaps made the bill a very sound and meaningful one.

The bill would be before us now ready to be passed, instead of having all the uncertainties and doubts about the measure.

I think that it is most unfortunate. However, it does demonstrate one rule that I think all of us have learned and should have adhered to a long time ago. That rule is that haste in the Senate does make waste. I said to my friend, the Senator from Missouri, the other day, that all of the haste was something of a shibboleth because we are not going to get good legislation when we rush legislation through the Senate. This demonstrates what will result.

It is too bad that the Williams amendment was not agreed to by the conference committee. I understand that the bill without it does lay the groundwork for some very large windfalls.

We have been subject to considerable criticism in the press for passing legislation which has given rise to abuse. This occurred in the Billie Sol Estes case.

I continually receive letters from people who are very aggravated about the fact that, under some agricultural legislation that we passed, there appeared to have been excessive windfalls.

We are now setting up the groundwork for more windfalls.

That is the reason that the Senator from New Mexico supported the Williams amendment last week.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. I voted for the Williams amendment. I do not accept the idea that this legislation would provide a windfall for someone.

This is a part of the regular price support program. There are no exceptions in it. So far as I know, there is no limit on any price support program with respect to the total payment.

The Senator from Iowa knows that because he fought hard for feed grain programs which are so important to his State. The Senator knows that the principle applies to the feed grain and wheat programs just as it does to cotton.

No windfall would be provided by the bill. What the Senator from Delaware [Mr. WILLIAMS] tried to do—and I respect him for it—was what he has tried to do time after time on legislation, to impose a limit.

The Senate voted for a limit. The measure went to conference with the House. I made the arguments of the Senator for him in the conference committee, but the House refused to yield and the measure is back in the Senate.

I wanted to make it clear that this legislation provides no windfall.

Mr. WILLIAMS of Delaware. I appreciate the position of the Senator from Kentucky.

I want the amendment considered on its merits. I think the Senator from Kentucky, as one of the conferees and as a member of the Committee on Agriculture and Forestry, will agree with me that the acceptance or rejection of the amendment does not have anything to

do with whether we would have a one or a two-price system on cotton.

The payments that I restrict under the amendment are payments made only to the farmers who would elect to plant their unplanted allotted acreage in soybeans.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I shall yield to the Senator from Missouri, but I shall yield first to the Senator from North Dakota.

Mr. YOUNG of North Dakota. I am no attorney, but I would agree with the Senator from Delaware's appraisal of his amendment. He never intended to change the program; he merely intended to limit the amount of payments a farmer could receive.

Of course the conferees were faced with this letter from the General Counsel of the Department of Agriculture, over which we had no control; and, faced with this and the possibility of changing the whole cotton program, I for one then signed the conference report to delete the Senator's amendment.

Mr. WILLIAMS of Delaware. I appreciate the Senator's position. This letter is signed by the same man who likewise ruled that Billie Sol Estes' activities were legal. That is all I can say for his competence. Of course, Billie Sol Estes is now in jail, or at least he was.

All that this amendment does is to limit the payments not to exceed \$10,000 to any one producer. As the Senator from New Mexico pointed out in the debate, he knew of one farmer who had a thousand acres of cotton allotment on which he had about a 4-bale yield and that without this amendment that man could collect over \$200,000. Assuming that he was in a disaster area and declared eligible he could collect this \$200,000 check from the Federal Government on his thousand allotted acres of land to which he had never put a plow, and he could then go on and raise a thousand acres of soybeans, collecting price supports on the soybeans.

All that my amendment does is, if this farmer wishes to elect to put the land in soybeans he could only collect up to \$10,000; but if he does not wish to put the acreage in soybeans he would not be affected under my amendment. The amendment would impose a limit only if he put his acreage in soybeans. Why should there not be such a limit?

That same formula is true with corn and with wheat; and that raises another question. The letter to which I have referred deals only with cotton. Apparently Mr. Bagwell did not know that the bill as it passed the Senate also embraced wheat and corn, so will he now say we are going to have a "two-price system" on wheat and corn as well. To be right charitable I do not think Mr. Bagwell had ever read the bill.

(Several Senators address the Chair.)

The PRESIDING OFFICER. Will the Senator yield?

Mr. WILLIAMS of Delaware. I yield first to the minority leader.

Mr. DIRKSEN. Mr. President, I have questioned the majority leader about the possibility of termination of the session, since a good many Senators have already left the Hill this evening, and whether this matter might go over until tomorrow morning. If we came in at 11 o'clock tomorrow, I respectfully suggest, and had 2 hours of debate, we could vote at a time certain, namely, 1 o'clock, if that would be agreeable to the Senator from Delaware and the Senator from Louisiana.

Mr. WILLIAMS of Delaware. I have no objection to finishing this tonight or to carrying it over until tomorrow. I shall be guided by the wishes of the leadership. I can give assurance that we shall not take long tomorrow. I want to get the matter to a vote.

The trouble with a unanimous-consent agreement to vote at 1 o'clock is that usually most will stay out until 1 o'clock, and until that time there are but two or three present on the floor, and nobody will know what it is about. I think we would have more interest in the matter if we do not know just when we are going to vote.

We should recognize that what we are doing here is establishing a precedent in the agriculture program—something that has never been heard of before. Several years ago former Secretary of Agriculture Henry Wallace proposed that we destroy pigs and pay the farmers for the pigs that were killed. People were shocked at that. But what we are doing here is the same as paying farmers for pigs that never were born; we are paying farmers for crops they do not plant. We are paying the farmer, here, for a crop he only thought he might want to grow, paying him up to \$200,000 for thinking about growing a cotton crop, and then, after he changes his mind and decides to grow a soybean crop we pay him over again.

The Congress ought to recognize what we are doing. Let me cite one further example of how this would work. I know of one farmer in the State of Arizona who is renting his land from the State of Arizona—and I have a letter here from the Governor's office to that effect—for \$3.60 to \$4.50 an acre. That farmer can collect, based on the production average figures, up to \$51.70 an acre on this land that he is renting from the State of Arizona; and if this bill passes he can turn around and raise a soybean crop on the same acreage getting price supports.

Is that what Senators want to do?

Mr. DIRKSEN. Well, no, because—

Mr. WILLIAMS of Delaware. I know the Senator from Illinois does not. I should not ask the question. But I want to know if that is what the Senate wishes to do.

I have much respect for farmers. I come from a farming area. But this is not a bill for regular farmers. In the State of Texas, for instance, there are 167,208 cotton farmers—and I respect all of them. But 162,000 of these farmers are not affected by the limitation. I do not think the 5,180 who would be affected by this amendment are going to the

poorhouse. Particularly that one farmer who would collect over \$200,000 for a crop he had never planted.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. DIRKSEN. On this matter, we have had six roll calls on amendments offered by my distinguished friend from Delaware. I gave him a vote on every one of them. I was merely trying to find out, if the yeas and nays have been ordered, whether we can let this go over until tomorrow. I am not particularly concerned about voting at a time certain. I just wanted to make sure that those who wished to do so would be able to vote.

Mr. WILLIAMS of Delaware. I am perfectly willing to let it go over. I will say to the minority leader that we can have an early vote. I will add that I am planning to make a motion that we postpone consideration on this conference report until June 15. I intend to suggest this for the purpose of letting the Agriculture Committee do what it should have done before; that is, get the Department officials down here to testify and not settle for some fuzzy letter which in effect says nothing except that they are against any limitations. Let them find out what is in this bill. I would think that the members of the Agriculture Committee themselves should be interested in this information.

It is interesting to note that we are dealing here with a bill that has never, as yet, been to the Agricultural Committees of either the House or the Senate. It was introduced as a clean bill in the House of Representatives and passed the same day that it was reported by the committee. The bill was stopped at the desk here in the Senate and has never been to the committee.

Any measure this important should be given some consideration. I would hope the chairman of the committee would go along with that suggestion. I respect his committee; I served on that committee a number of years. I have respect enough for that committee to believe that if they take this measure to the committee, they can then find out what is in the bill. I think it would also be well to have the general counsel who wrote this letter present, either to testify—and I am not too sure I am interested in his testimony—or at least to have him sit as an observer, because it is just remotely possible that he, too, could learn something. At least I will say this: There is room for his enlightenment.

Mr. DIRKSEN. Mr. President, may I ask the majority leader whether he proposes to come in at 11 tomorrow?

Mr. MANSFIELD. Yes, indeed; and I think that under the circumstances, it might be best not to seek to vote at a time certain. I am quite sure the Senator from Delaware will keep his word, as always.

Mr. WILLIAMS of Delaware. I assure the majority leader that it will not take me long on this matter, but I do hesitate about setting it for a vote at a time certain for the reason that most Senators do what I do on occasion:

They figure, "Well, we will be there for the vote."

I yield to the Senator from Iowa.

Mr. MILLER. Mr. President, the Senator has just pointed out exactly why I say this bill lays the foundation for a windfall. Anybody who can say, when a farmer has not even planted or cultivated his land, that he ought to be entitled to receive full payment in exactly the same amount as the farmer who has planted and cultivated his land, and then be able to turn around and plant a soybean crop, and get Government price supports on it, without calling that a windfall, I must say does not have the same concept of a windfall that I do.

But I do know this: The general public read stories of these cases, and they do not like it. They have the impression that farmers are getting some unusual consideration which they should not receive. I do not know of very many farmers who want to have windfalls. They are perfectly willing to work hard to get what they get. They do want fair prices in the market place.

But to come along and have this hastily considered legislation passed, to lay a foundation for hastily considered windfalls of this nature, seems to me to be wrong.

The Senator from Delaware has stated examples, not only this afternoon but during the debate the other day, of how we could be, by passage of this bill, permitting awfully high payments; and that was the reason for the Williams amendment.

Mr. WILLIAMS of Delaware. That was the reason, and I repeat what I have said time and again—there was no intention to put a control on the amount that farmers could be paid under the price support program by means of my amendment. The amendment was directed very clearly only to those payments that would be made under this particular act, payments made to those farmers who would elect to use this unplanted cotton acreage to plant soybeans.

Those restricted payments are made to farmers who would elect this choice. I said a moment ago that we are dealing with a lot of money. Do not misunderstand. There are millions involved in these payments. In fact, the bulk of the money is paid out to these large farmers.

The Commonwealth of Virginia has 5,679 farmers who produce cotton. Not a single one would be affected by the adoption of this amendment. Not a single one comes under the limitation of the amendment.

The State of Tennessee would have 99 out of 55,655 farmers affected. The State of Alabama, with 96,100 farmers, would have only 229 farmers who could come under the \$10,000 limitation of the amendment.

All of this is assuming that they have the average yield of one bale per acre. I concede that there are some with better and some with lower yields, and those figures could be changed somewhat.

The State of Arizona, with 3,965 farmers, would have 481 farmers who could come under this amendment.

The State of Kentucky, with 1,001 farmers, would have but 1. The State

of Iowa is not affected at all. They do not have cotton.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. Did the Senator give the figures for the State of Tennessee?

Mr. WILLIAMS of Delaware. Yes, but these are only figures as to cotton production.

Mr. MILLER. I understand.

Mr. WILLIAMS of Delaware. In the State of Tennessee there are 55,655 farmers producing cotton, and only 99 have acreage in excess of 200 acres, which is the cutoff figure as far as the amendment is concerned.

Mr. MILLER. The Senator is saying that there are very few farmers who could be benefited by this bill as opposed to the Senate bill. I take it that he is suggesting some of that very few can reap very large payments.

Mr. WILLIAMS of Delaware. There are many farmers who could be benefited under this bill, but very few who could get in excess of \$10,000 plus reaping the benefits of the bill.

Mr. MILLER. I appreciate the Senator's clearing that up.

Does the Senator have an estimate as to how large these benefits can be?

Mr. WILLIAMS of Delaware. The Senator from New Mexico [Mr. ANDERSON], the former Secretary of Agriculture, cited one specific case that he knew of where a farmer had 1,000 acres with a yield of 4 bales per acre. In that particular instance that man—assuming this bill passes without the amendment—could collect \$200,000 from the Federal Government on this 1,000 acres of land. We are assuming he never put a plow in the ground, did not plant, but just intended to plant, and he would collect \$200,000 from the Federal Government. On top of that he would be able to plant the 1,000 acres in soybeans and get price support.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. He could collect \$200,000 without this amendment.

Mr. WILLIAMS of Delaware. But he could not raise soybeans on this same acreage and collect price supports. Under existing law if he raises soybeans he loses all of his payments.

Does the Senator know what this has done to the soybean farmers since the Secretary has said that the administration would knock this amendment out? I do not know what happened today but in other days the market has been off 7 cents or 8 cents.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. My State has one cotton farmer—

Mr. WILLIAMS of Delaware. It has only one affected by the amendment.

Mr. COOPER. One cotton farmer who could, in some future year although not this year, be affected by the Senator's amendment. Furthermore, I voted for the amendment of the Senator. In addition, I voted to make it a 1-year provision, as the original purpose

of the bill was to meet an immediate situation.

But the reason I have entered into this debate is because I think it is the very kind of statements made here today that contributes to talk about the farm programs.

I do not like to hear a kind of argument which is not wholly on the facts and leads to such talk.

For example, a statement that was made a moment ago that gives the impression that this bill would permit someone to collect—the Senator said \$200,000. I am sure that two price support payments that large could be received on some farms. However, to give the impression that because of this bill—

Mr. WILLIAMS of Delaware. Oh, no.

Mr. COOPER. The truth is—

Mr. WILLIAMS of Delaware. They collect it as a result of the bill passed last year, which I opposed at the time, but it is the law. What we are dealing with here is an expansion of that law.

Mr. COOPER. That should be made clear, because we know that under the omnibus bill passed last year if a cotton producer, or a feed grain producer in Iowa, or a wheat producer, planted his crop and it was washed out, he would get every bit of the program benefits—for diversion payments and for production payments. The feed grain farmer in Iowa would get it. The wheat farmer would get it. The cotton farmer would get it.

I think that should be made clear in this debate, and that is the reason I am speaking at this time.

The argument of the Senator is giving the impression that the bill before us today provides for that kind of payment. But they were provided in the Food and Agriculture Act of 1965, and the reason those payments are permitted is because the objective of that act is to withdraw acreage from production.

The purpose of the bill before us today is to place the man who has not been able to plant his cotton in the same position as the man next door who had been able to plant his cotton—simply providing that both could sow some soybeans if they had been blotted out by a flood. That is it.

Last week in the Senate the argument was made that one man would have spent more than another; but this is no insurance program. I agree that it superimposes another crop they could grow; that is the reason I voted for the amendment of the Senator.

I have entered into the discussion at this time because some are getting the impression that this bill permits the price support payments, and that is not correct.

Mr. WILLIAMS of Delaware. Mr. President, I outlined the difference between the existing law and the present proposal before I started. I shall do so again. If anyone has the wrong impression it is because we have a bad law.

Under the existing law, passed last year, in the case of the farmer who plants his cotton crop which is destroyed as a result of drought or excessive rainfall, that farmer can collect these benefits to which we refer, and, in addition, under existing law, he can plant soybeans.

Neither the bill before the Senate nor the amendment I had presented in any way affects that phase of the program. I said that in the beginning.

There is a second step in the existing law. The farmer who has these acreage allotments but who has not been able to plant through an act of nature—either too dry or too wet—that farmer under existing law can collect these payments, as the Senator from Kentucky has pointed out, but he cannot plant any income-producing crops on that acreage. That is the existing law.

Mr. COOPER. To boil it down, all this bill does is to let a fellow sow soybeans. Is that not correct?

Mr. WILLIAMS of Delaware. That is not correct. This bill would allow him to collect those payments for a crop he has not planted and then put in an income-producing crop such as soybeans, barley. Under the pending bill he could grow those crops and still collect his money. My amendment merely limits the amount he could collect in this second instance.

As the Senator from New Mexico [Mr. ANDERSON] pointed out, without the amendment one individual could collect as much as \$200,000 on his 1,000 acres and then, never having put a plow in the ground, plant soybeans on that same acreage. My amendment would provide that if this farmer wanted to grow soybeans he could still do it, but he would forfeit all of his payments except \$10,000—that would be the maximum. Under existing law he would forfeit all of his payments if he uses the acreage for any income-producing crop.

Mr. ELLENDER. That is, under existing law he loses his payments if, not having planted his cotton, he plants some other income-producing crop; is that not correct?

Mr. WILLIAMS of Delaware. That is correct.

Mr. ELLENDER. But under the bill, if he is prevented from planting cotton, he may plant some other commodity which is not subject to an adjustment program and still receive his payments; is that not correct?

Mr. WILLIAMS of Delaware. The Senator is correct. Thus, what we are dealing with is, we allow those farmers to collect up to \$10,000 on payments that they would get under existing law.

Just how that limitation can be interrupted into a two-price system for cotton is something which takes a man with a great deal of imagination to come up with. Only a man who believed that Billie Sol Estes had been doing business legally would be able to come up with such an interpretation, and even he was not sure.

Mr. MILLER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. If I could have the attention of the Senator from Kentucky; he was asking about the difference in treatment under this bill from present law. I do think that he tread rather lightly upon the fact that what this bill would do would give a man who had not gone to the expense of plowing, planting,

and cultivating, the same treatment as the man who had.

I am sure the Senator from Kentucky knows that a great deal of expense can be incurred in plowing, planting, cultivating, putting in fertilizer, paying for the labor costs, and the gas and oil. This can run into a great deal of money. Under this bill, we are making absolutely no differentiation between the farmer who has incurred all of these expenses and the farmer who has incurred none. That is the reason why I offered my amendment last week which, I am sorry to say, was not accepted but which would have said, "Well, if you want to have some benefits, we will give you one-half of the payments and then you can turn around and grow soybeans, or you take all the payments and you cannot grow soybeans."

What we have done is to overload the bill. That is why the Senator from Kentucky and other Senators supported the Williams amendments. I do not know how we can get out of this thing, but I like to think that if we had this still before the Agriculture and Forestry Committee, and had had people down from the Department for a hearing, we might have been able to devise a sound bill, because I believe that there are some inequities which should be covered. I believe that all of us are sympathetic with farmers who have not been able to get any seed in the ground because of events over which they have no control, such as natural disasters and the like, and that they should have some coverage if they get their seed in the ground.

We have gone much too far in this thing. We have set up a basis which, in the public mind—and this is what counts—will be considered a windfall to some farmers, and I do not believe that the Senate should lay that kind of foundation.

Mr. WILLIAMS of Delaware. I thank the Senator from Iowa. The Senator points out that this has been put through as an emergency measure to cover a great disaster, but, yet, on a rollcall vote the Senate rejected the proposal to limit this to 1 year and again rejected a proposal to limit it to 2 years. But the sponsors and the Department insist that it be a full 4-year program. In other words, they are determined that they are going to have 4-year disaster and an emergency so long as they stay in public office.

How anyone can foresee that it will be either too wet or too dry in certain areas of the country 4 years from now is going a little far afield, in my judgment.

I think that had it been really an emergency measure the committee would have reported the bill on a 1-year basis to deal with this emergency. The Senate will be in session next year. Just how anyone can justify a payment of \$200,000 to a man owning a thousand-acre farm who has not planted a crop on it and then allow him to plant that thousand acres in soybeans, I do not understand. I do not understand how we can justify paying a man \$50 an acre for cotton that he does not plant, on land he had leased

from the State of Arizona, at \$3.50 to \$4 an acre. I just do not understand it.

We hear much about the poverty program, but I do not think that this can come under that program. Only the Great Society could have ever thought of such a proposal as this.

Mr. MILLER. Another statement was made that this is not an insurance program. I am wondering why we should not have an insurance program in preference to this. I do not know how we could possibly pay for insurance with premiums, or find enough money to pay the premiums for the kind of benefits we are legislating here.

It seems to me that this would certainly discourage people from carrying insurance on natural disasters. What would it profit them to carry insurance if they would be able to reap such a reward as they would here?

In other words, they could just sit back, and when the disaster hit they would not have to worry because they would not have to plant anything—they would get their payments and then they would turn around and grow a big crop of soybeans.

To me, this is not right. It is not treating farmers equitably among themselves, because the farmers who have incurred all of the expenses of plowing, planting, and cultivating their land will be treated in exactly the same way as the farmer who has incurred no expense at all.

I believe it is bad legislation. I wish there were some way to defer consideration of this until the Committee on Agriculture and Forestry can have an opportunity to sit down and consider it. I think that if it has merit, we should pass it quickly, and the House should agree with it, if there is an emergency. Whether there is an emergency is a good question, because as the Senator from Delaware has pointed out, out of all the farmers in Tennessee—I believe the Senator from Tennessee was one of the proponents—only 99 would be eligible for such benefits under this bill; is that not correct?

Mr. WILLIAMS of Delaware. Ninety-nine; yes. Only 99 farmers in Tennessee would be affected—at least from the figures I received from the Department—and that is out of 55,655 cotton farmers in that State. Yet the Senator from Tennessee said that he would rather see the bill defeated than have this limitation.

In whom are we interested, the 55,655 small farmers, or the 99 large operators?

In the State of North Carolina, 64,759 farmers plant cotton, yet only 50 of them would be affected by the \$10,000 ceiling.

In the State of Georgia, there are 65,046 farms on which cotton is grown, yet only 173 would be affected by this amendment.

Therefore, let us get this matter straight. What this whole argument is about is whether we want to provide—some do not want to call them windfalls—they do not want to call them gifts—well, let us call it the Great Society's gravy train for the large farmers. Any man who has a thousand acres

of land that has not been plowed, planted, or cultivated and on which he has not spent one dime, for him to receive from the Federal Government a \$200,000 check and told, "You take that money and grow a crop of soybeans on your land, and we will give you \$2.50 per bushel support on all the beans you produce" must (think that he has received a windfall—unless in the past his payments have been so large that he does not even look upon them as windfalls any more.

Mr. MILLER. Let me add this to what the Senator has said. The Senator has referred to the very few farmers who would be affected by this \$10,000 limitation. I think most of us are sympathetic with those who are hurt the most by any disaster, those who do not have any particular capital and who have nothing to fall back on. That was the rationale behind this \$10,000 limitation, something like insurance in a way, say, that we are going to cover this with a ceiling.

If they want to have more than \$10,000 insurance, they will have to go elsewhere, but not come to the Federal Government for it.

As a result of the action taken by the conferees, we now have an open-end proposition which allows public misinformation that many farmers, rather than a few, are getting windfalls.

Mr. WILLIAMS of Delaware. Unless this boondoggle giveaway is stopped the agricultural program is going to sink because the American public will repudiate it. This bill is supposed to be an emergency bill. There are 762,257 cotton farmers in America according to the latest estimates I have received. Out of that total of 762,257 in the whole Nation only 10,470 are affected by this amendment containing the \$10,000 ceiling. But with respect to this \$10,000 limitation the opponents say that if we cannot take care of the big ones, let the little ones go broke.

Mr. MILLER. The Senator from Delaware pointed out the drop in the soybean commodity market on the day of the announcement by the Secretary of Agriculture that if Congress passed this bill, the Secretary would recommend a veto. Did I understand the Senator correctly?

Mr. WILLIAMS of Delaware. The market dropped 7 cents since the Secretary made his announcement. It may have risen today I do not know.

Mr. MILLER. Since the Secretary made his announcement?

Mr. WILLIAMS of Delaware. Yes.

Mr. MILLER. Does the Senator know whether the market dropped the day of the announcement?

Mr. WILLIAMS of Delaware. I did not see the announcement until that night. I do not know when he made it. But the market dropped the next few days. There may have been but little connection, but it is a fact that the market operators and large planters were the interested parties.

Mr. MILLER. This is another example of how the market fluctuates based on statements made by certain Government officials. We have had some indications that there may have been some abuses

on information. Certainly there is suspicion in the minds of many people who read the newspapers and watch the newscasts that some persons have obtained information known as inside information. This area revolves around certain actions and statements made by some of our Government officials.

I think it is a bad thing that the Secretary of Agriculture has undertaken to make such a statement in this instance. It seems to me he could have waited until the Congress had acted one way or the other, and then announced that he would recommend a veto. But to say, ahead of time, that if Congress passed the bill, he was going to recommend a veto places the idea in the minds of some people that, no matter what Congress does, if it is passed it is going to be vetoed. Then there will be speculation on the futures market.

Mr. WILLIAMS of Delaware. In fairness to the Secretary of Agriculture, I think it should be pointed out that he made the announcement too late to be effective on the market of that day. So if he was going to make such an announcement that would be the proper way to announce it to the American people. It would be well known, and the market would not be affected until the next day.

Mr. MILLER. I am referring to the announcement that the Secretary would recommend a veto of the bill.

Mr. WILLIAMS of Delaware. The Secretary's statement was that he would recommend a veto if the amendment stayed in, but the announcement was not made in time to affect the market that day, and it was made publicly. There was no leak involved here.

I respect the right of the Secretary to express his opinion for or against a bill. In this particular instance I think he made his announcement properly; namely, after the market could be affected that day. But that is different from the previous announcement which was the basis of the resolution that I sent to the desk.

Mr. MILLER. I did not understand—

Mr. WILLIAMS of Delaware. There were two different announcements.

Mr. MILLER. The Senator was referring to the announcement at noon—

Mr. WILLIAMS of Delaware. Yes.

Mr. MILLER. And the announcement that the Secretary would recommend a veto. I think the Secretary has a right to express his opinion, but I think the Secretary should be aware that the market is responsive to statements made by public officials, and should not have made the statement when he did that he would recommend a veto if the bill passed, based on the legal opinion which the Senator has put in the Record, which, of course, is rather superficial at best.

That seems to me to have been a premature statement of what the recommendation would be. It seems to me the time for him to have said that would have been after Congress had acted. If Congress had passed the bill, he could have said, "I am going to recommend a veto." But before the conferees acted, for him to make the statement seems to

me to have been premature, especially in light of the rather superficial legal opinion to which the Senator has referred.

Mr. WILLIAMS of Delaware. I appreciate the remarks of the Senator from Iowa. As I said, I think to be fair, the Secretary, as I understand, made the announcement properly and at the proper time. Heretofore the Secretary has announced decisions after they had been made behind closed door meetings, after the market had closed. The trouble developed when the announcement was carried over, awaiting a favorable opportunity when it could be announced on television. It was during that interval that a leak developed. Too many people knew what the decision was, and it was impossible for them to keep it secret. The announcement of these decisions should be promptly made after the market closed.

MOTION TO POSTPONE FURTHER CONSIDERATION OF CONFERENCE REPORT

Mr. President, I send to the desk a motion that further consideration of the conference report be postponed until June 15. That is 1 week from today. The clerk should state it. The motion will be pending on when the Senate convenes tomorrow.

The PRESIDING OFFICER. The motion of the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. The Senator from Delaware [Mr. WILLIAMS] moves that further consideration of the conference report be postponed until June 16.

Mr. WILLIAMS of Delaware. Mr. President, the reason I make that motion is to give the committee an opportunity to get the department officials before the committee to discuss the far-reaching aspects of this proposal and to determine from them an estimate of its costs. Let there be no maybe's on how it may be interpreted. The committee should have done this earlier. There are some of us who think that this will not be a 4-year disaster but will disappear after the election in 1968.

THE ECONOMY OF PRICE-SUPPORT PAYMENTS

Mr. TALMADGE. Mr. President, the whole question of Government payments to farmers has come up again. Questions are being raised about limiting payments themselves as if they were welfare contributions or a handout.

I assure you the payments are not a handout. They are payments for services rendered. Rendered by farmers toward stabilizing our national economy.

Diversion payments, as my honored colleagues well know, are designed to help maintain a balance between production and the quantities of farm commodities needed to meet requirements here at home and commitments abroad. Such payments are made under acreage diversion programs for cotton, feed grains, and wheat as well as cropland adjustment, cropland conversion, and conservation reserve programs.

Mr. President, through acreage diversion, we use land itself as our food reserve instead of bulging warehouses where storage costs and even spoilage reach deep into taxpayers pockets.

Such a forward-looking approach as acreage diversion not only helps prevent

needless waste of surplus production and of our soil resource, but it also promotes the economic interest of our entire country.

However, when a farmer diverts or reduces his crop acreage, he also reduces his income. To help offset a farmer's loss from diverting acreage into conserving uses, the Government pays him a diversion payment to partially replace the value of what he could have grown on the land.

But the Government has not only asked the farmer to reduce his acreage in order to cut down on surpluses and conserve the soil, it has also—as in the case of cotton and wheat and some other crops—asked him to take a lower price-support loan to enable his product to compete more favorably abroad as well as help stop the dollar drain.

For example, the price-support loan on cotton, as Senators know, is now down to 21 cents a pound, some 8 cents less than a year ago. This is expected to increase our cotton exports as soon as old stocks in the foreign free world are further reduced.

To help compensate the farmer for this additional loss of income the Government is paying him a price-support payment based on the projected yield of cotton grown within his domestic allotment. Again, this is not a handout, but a payment for services rendered. And what should be generally recognized and appreciated is the fact that this payment as a price support device is more economical and more effective than the old higher price-support loan. Without this new approach, the cost of the program would be considerably higher.

Mr. President, I do not expect this small contribution to the clarification of an issue to put the question to rest, but I did want to explain to my distinguished colleagues why I am for the price-support payment system—and against any limitation on the amount paid to individual farmers.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAIR PACKAGING AND LABELING ACT — UNANIMOUS — CONSENT AGREEMENT

The Senate resumed the consideration of the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate takes up the truth in packaging bill there be a time limitation of 1 hour, to be equally divided between the chairman of the committee and the cosponsor of any amendment, that there be 3 hours on the bill itself, and also that the

rule of germaneness apply to the unanimous-consent agreement.

The PRESIDING OFFICER. Is there objection?

Mr. LAUSCHE. Mr. President, reserving the right to object, has the issue on the conference report that has just been discussed on the Senate floor been decided?

Mr. WILLIAMS of Delaware. This vote will go over until tomorrow, but I assure the majority leader and the minority leader, as I did earlier today, that so far as I am concerned the Senate can proceed promptly to a vote tomorrow. I have no intention of repeating the arguments that I have made today.

While I prefer not to agree to a time limitation I assure the Senate that the vote will come promptly. I see no reason why the debate tomorrow should take too long.

Mr. LAUSCHE. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? None is heard, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the further consideration of the bill (S. 985), to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Washington [Mr. MAGNUSON]: Provided, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: Provided, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. WILLIAMS of Delaware. Mr. President, I shall ask for the yeas and nays on my motion tomorrow.

Mr. MANSFIELD. The Senator from Delaware will obtain the yeas and nays.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Armed Services may meet tomorrow morning until 12 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, under the previous order, that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 41 minutes p.m.) the Senate

adjourned until tomorrow, Thursday, June 9, 1966, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 8, 1966:

IN THE NAVY

Lt. Cmdr. Eugene A. Cernan, U.S. Navy, for permanent appointment to the grade of commander in the Navy in accordance with article II, section 2, clause 2 of the Constitution.

IN THE AIR FORCE

The following Air Force officer for appointment as permanent professor, U.S. Air Force Academy, under the provisions of section 9333(b), title 10, United States Code:

Wallace E. Fluhr, FR28972.

The following persons for appointment in the Regular Air Force, in the grades indicated under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be captains, USAF (Medical)

Regis C. Kohring, FV3166703.

Charles H. Raine, Jr., FV3124471.

David S. Russell, FV3165411.

To be first lieutenants, USAF (Medical)

David L. Hemsell, FV3141130.

Theodore S. Mathews, FV3092632.

To be captains, USAF (Dental)

James F. Bigalke, FV3125303.

James L. Bloss, FV3125792.

Harold W. Nichol, FV3089137.

Ralph H. Smith, Jr., FV3075165.

To be first lieutenants, USAF (Dental)

John T. Cooper, FV2206457.

Maurice W. Donnelly, FV3166465.

John C. Hoerath, FV3053736.

Henry J. Verwayen, Jr., FV3165734.

The following persons for appointment in the Regular Air Force, in the grade of captain, under the provisions of section 8284, title 10, United States Code, with date of rank to be determined by the Secretary of the Air Force:

Abbott, Wayne T., FV3080491.

Abbott, Wilfred K., FV3081739.

Adams, Dale C., FV3080381.

Adams, James H., FV3074652.

Agniel, David B., FV3056608.

Aho, Douglas D., FV3084989.

Aird, Donald W., FV3087548.

Akerlund, Edward T., FV3080994.

Albrecht, Ronald L., FV3083108.

Aldrich, Richard C., FV3087549.

Allen, Harold L., FV2224917.

Allen, James R., FV3080858.

Allen, William N., FV3087588.

Amtmann, Neal H., FV3072606.

Andrews, William R., FV3081727.

Anzalone, Samuel L., FV3029014.

Armstrong, Eugene F., FV3101085.

Armstrong, Henry W., FV3081451.

Armstrong, Michael R., FV3072147.

Astorino, Loring R., FV3081192.

Atwell, Glen D., FV3081364.

Aunan, Wallace N., FV3071219.

Austin, Lowell M., FV3080996.

Austin, Randall R., FV3080674.

Autry, Donald W., FV3087698.

Averill, David M., FV3081432.

Bache, Ronald H., FV3082677.

Bachem, Fritz M., FV3080334.

Bachmann, Richard E., FV3081663.

Balley, Paul D., FV3080141.

Bainter Jack J., FV3087764.

Balrd, Orville B., FV3084385.

Baker, John H., FV3081193.

Baker, Thomas A., FV3071315.

Bane, Raymond, FV3087769.

Barbera, Richard V., FV3087679.

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
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For actions of June 9, 1966
89th-2nd; No. 95

CONTENTS

Adjournment.....	23,31	Food prices.....	38,48	Plums.....	45
Administrative Law.....	7	Food stamps.....	46	Poverty.....	33
Banking.....	18	Foreign aid.....	20	Public debt.....	37
Commission.....	40	Inflation.....	34	Public lands.....	17,39,41
Conservation.....	14	Information.....	26,44	Public Law 480.....	35
Copper imports.....	15	Labeling.....	2	Recreation.....	43
Cotton.....	4	Lands.....	17,39,41	Research.....	12
Dairy imports.....	10,47	Legislative program.....	22,30	River basin.....	29
Disaster relief.....	1,42	Military training.....	40	School milk.....	8
Electrification.....	13	Milk.....	8	Sugar imports.....	10
Farm credit.....	6	Nutrition conference.....	25	Tobacco.....	5,9
Farm prices.....	11	Opinion polls.....	27,32	Transportation.....	16
Food additives.....	19	Packaging.....	2	Urban affairs.....	36
Food for freedom.....	24	Personnel.....	21,28	Water Resources.....	3

HIGHLIGHTS: House passed food for freedom bill. Senate agreed to conference report on bill to permit alternate crops in disaster areas. Senate passed fair packaging-labeling bill. Senate passed National Water Commission bill.

SENATE

1. DISASTER RELIEF. Agreed to the conference report on H. R. 15151, to permit planting of alternate crops on acreage unplanted because of natural disaster. Rejected, 24-59, a motion by Sen. Williams, Del., to postpone further consideration until June 15. This bill will now be sent to the President. pp. 12153-61

Sen. Pearson asked relief for the tornado-stricken areas of Kans. pp. 12225-6

2. PACKAGING; LABELING. Passed, 72-9, with amendments S. 985, the fair packaging and labeling bill. pp. 12161-214
3. WATER RESOURCES. Passed as reported S. 3107, to create a National Water Commission to survey water resource problems and programs. pp. 12245-8
4. COTTON. The Agriculture and Forestry Committee voted, 10-4, to report (but did not actually report) with amendments H. R. 12322, the cotton research and promotion bill. p. D511
5. TOBACCO. The Agriculture and Forestry Committee voted to report (but did not actually report) H. R. 15124, relating to the filing time of tobacco acreage allotment leases. p. D511
6. FARM CREDIT. The Judiciary Committee reported without amendment S. J. Res. 150, to provide for designation of April 1967 as "Federal Land Bank Month" (S. Rept. 1227). p. 12107
7. ADMINISTRATIVE LAW. The Judiciary Committee reported with amendments S. 1336, to amend the Administrative Procedure Act so as to strengthen and clarify certain administrative procedures of Federal agencies (S. Rept. 1234). p. 12107
The Judiciary Committee reported with amendments S. 1522, to remove arbitrary limitations upon attorneys' fees for services rendered in proceedings before administrative agencies of the U. S. (S. Rept. 1233). p. 12107
8. SCHOOL MILK. Sen. Proxmire inserted Sen. Hartke's statement in favor of "adequate funding" of the school milk program. p. 12131
9. TOBACCO. Sen. Neuberger inserted an article, "One Million Teenagers Dying From Lung Cancer?" pp. 12133-4
10. DAIRY-SUGAR IMPORTS. Sen. Mondale urged administrative action to limit importation of certain products containing butterfat and sugar. p. 12136
11. FARM PRICES. Sen. Mondale inserted and commended a Washington Post editorial defending the level of farm prices. pp. 12139-40
12. RESEARCH. Sen. Scott inserted a statement by Vice Adm. Rickover on the research accomplishments of George Washington Carver. pp. 12140-1
13. ELECTRIFICATION. Sen. Yarborough commended the Tex. REA cooperatives' project of sending youth on a tour to Washington. pp. 12142-3
14. CONSERVATION. Sen. Bartlett inserted a statement by DeWitt Gilbert on responsibility for conserving natural resources. pp. 12147-8
15. COPPER IMPORTS. Passed without amendment H. R. 12676, to suspend the duty on certain copper imports until June 30, 1968. This bill will now be sent to the President. pp. 12153-4
16. TRANSPORTATION. Sen. Young, Ohio, spoke against any increase in tolls for shipping on the St. Lawrence Seaway. p. 12161

have been voting billions for Formosa: Let's find out if this is a satellite we can't use, or who won't play. It is easier to cut Formosa out of the budget than money for the youngsters' hot school lunches or for hospitals. If there is any disaffection on the mainland, one way to find out might be to bring a study group from the Formosa war staff over to Saigon to "study the situation." That's all the blueprint they will need in Hanoi, Peking, and Moscow to show them we mean business about making the most of what we have to fight with.

THE LESSON OF THE MEREDITH CASE

Mr. NELSON. Mr. President, the Mississippi shooting of James Meredith showed the need for stronger Federal legislation to protect people exercising their constitutional rights.

I have been advocating such legislation since April 1, 1964 when I introduced a bill to make it a Federal offense to murder a person exercising his civil rights.

Since then a number of similar bills have been introduced. I am a cosponsor of a bill by Senator DOUGLAS which would broaden Federal offenses in the area of civil rights. Under this bill, for instance, the killer of a civil rights worker could be charged in Federal court with the crime of murder, rather than merely with depriving someone of his constitutional rights.

I am also cosponsoring the administration's omnibus civil rights bill, one section of which would make racial violence an explicit Federal crime.

All the rights granted Americans by the U.S. Constitution, and all the Supreme Court decisions carefully defining and protecting these rights, can be nullified by would-be assassins such as the one who gunned down James Meredith. This kind of terror nullifies the rights of every American citizen.

The U.S. Congress cannot allow this to continue.

The fundamental American rights granted by the Constitution must be backed up by Federal law. There have been a great number of tragedies over the years to demonstrate the need for Federal legislation protecting those who merely seek to exercise their American rights. The Meredith case is the latest example. I hope it shocks the American public and the Congress sufficiently to enable us to pass this long overdue legislation.

VISTA VOLUNTEERS

Mr. BARTLETT. Mr. President, I should like to share with my colleagues a letter a member of my staff received from two VISTA volunteers serving in the small, remote Eskimo village of Kwigillingok, Alaska.

VISTA volunteers in Alaska are called upon to perform their duties under circumstances few of them could have visualized before their service began. They are performing them well. Indeed, their fame preceded them for before the program was enacted, the native people of Alaska had requested volunteers. Alaska

native people had followed the progress of the Peace Corps closely and when a similar organization was proposed to serve with the country, they were among the first to endorse it.

From time to time I have received letters from volunteers in various Alaska villages. I have been impressed with all of them for each demonstrated a concern for and an understanding of the needs and aspirations of the native people.

Miss Judy Anderson and Miss Chattye Cornelius were assigned to the village of Kwigillingok, located on the barren tundra of the delta formed between the Kuskokwim and Yukon Rivers. Their description of what life offers them in the village should be encouraging to all of us for it demonstrates that VISTA has chosen its volunteers wisely and that we were right in enacting the program.

I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 15, 1966.

DEAR MISS NORDALE: Well, here it is Sunday night in Kwigillingok. We're sitting here in our "living room" writing by candlelight, eating Swedish coffee bread sent from home and drinking coffee. This weekend's been a good one, we've gotten a lot accomplished and it's just now that we've gotten a chance to sit down and write a few letters.

We thank you very much for having replied to our letter as quickly as you did. You can be assured that we are encouraging our people to continue their planning on the proposed move. The people know that Senator BARTLETT will do his best for them and your letter fortified their convictions.

As for life in the village spring has certainly brought Kwig out of its winter's hibernation. We can see every day the men coming back from the ocean with their sleds loaded with seal and walrus. The women then are busy preparing the seal, stretching and drying the skin which is to be sold or sewn and then blown up to be used as containers for seal oil (which are eventually put in the ground to be stored for winter's use).

Aside from our normal work in the village we have our interesting side-lines too: one of our neighbors is going to show us, on Tuesday afternoon, how to use the "ooloo" to skin seal—if, in return, we'll show her how to make the cheese souffle she saw us making the other day!! (You should have seen her face when it came out of the oven—you should have seen ours too—didn't think it would turn out too well as it was our first!)

As for our work day in the village our schedule has been lengthened as the daylight now lasts until 10 p.m., soon to last even longer. Our nursery school, 9-11, five mornings a week is doing fine, now including three-year-olds as well as the four- and five-year-olds. Eskimo children are certainly not much different from children in the "Lower 48"—there are devils and angels everywhere!

In the afternoon our house is flooded with little kids, some days there being game hours and others being reading time or story hour.

Our Brownies and Jr. Scouts are doing fine and are now all excited about their past rummage sale (held last Saturday). We gave them a few hints about pricing but they did the majority of the work—and were very proud to report that they had earned \$104.76! (We feel like proud mother hens!) (And we were very pleased to find a native girl who has now taken over leadership of the Jr. Scouts.) The girls are now getting excited about the forthcoming July Fourth

celebration. Kwig's first parade and Memorial Service to the men in Vietnam.

So, this summer certainly holds a lot in store for us including egg hunting, berry picking and our town council president is even loaning us his kayak so we can practice paddling on the lake!

Don't know whether we told you or not but we had a red fox as a pet till it got away—but now have another pet—this time caught by a villager at the ocean: a pet baby seal! Thought we'd be able to cuddle it but it snaps like a dog and won't let us within five feet of it! So, we now have a "guest" on our porch!

Well, Miss Nordale, we're running out of space and the candles are flickering so as we have a busy day tomorrow (nursery school, Brownies tutoring) we had better sign off now. Our regards to Senator BARTLETT.

Love,

JUDY and CHATTYE.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

TO PERMIT THE PLANTING OF ALTERNATE CROPS—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I move that the Senate proceed to the consideration of the conference report on H.R. 15151.

The PRESIDING OFFICER. The clerk will report the conference report for the information of the Senate.

The LEGISLATIVE CLERK. Report of the committee of conference on the disagreeing votes of the two Houses on the amending of the Senate to the bill (H.R. 15151) to permit the planting of alternate crops and acreage which is unplanted because of a natural disaster.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

TEMPORARY SUSPENSION OF DUTY ON CERTAIN FORMS OF COPPER

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1186, House bill 12676. I understand that this bill has been cleared by the leadership on both sides of the aisle.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 12676) to amend the tariff schedules of the United States to provide that certain forms of copper be admitted free of duty.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1220), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 12676 suspends temporarily, for the period February 9, 1966, to June 30, 1968, the duties applicable to unwrought copper (except nickel silver), copper waste, and scrap, and copper articles imported to be used in remanufacture by melting. The bill would also suspend for the same period the duties applicable to the copper content of certain copper-bearing ores and materials. The duties that would be suspended by the bill would in each case amount to 1.7 cents per pound of pure copper which may be commercially obtained from the imported article, except that in the case of nickel silver waste and scrap the rate is 1.7 cents per pound of the commercially recoverable copper content plus 10 percent ad valorem.

GENERAL STATEMENT

Copper is a metal that is of vital importance to the Nation's defense and nondefense needs. It is used in the electrical industry in the manufacture of generators, motors, locomotives, telephone and telegraph equipment, light and power transmission lines, and numerous other items. It is consumed by the copper-base alloy industry in the manufacture of products used in building construction, principally plumbing and roofing materials, and in the manufacture of automobiles and trucks, in shipbuilding, in the production of ammunition, and for a wide variety of other purposes.

In 1965 the United States consumed about 2 million tons of refined copper, about 90 percent of which was domestically produced. The balance of approximately 200,000 tons was imported. Chile supplied about 100,000 tons of such imports, while approximately 40,000 tons came from Canada and 60,000 tons from Peru. Despite substantial increments in recent years in the domestic production of copper, such output has not been sufficient to satisfy increased domestic consumption requirements.

In midautumn of last year, it became increasingly apparent that world demand for copper exceeded world supply. The short supply has been reflected in pressure on copper prices both at home and abroad. The U.S. producers' price for refined copper, which until March 1964 had remained constant at 31 cents a pound for about 3 years, experienced three increases in the space of little more than 1 year, going from 31 to 32 in 34 cents and then to 36 cents per pound in May 1965. After consultations and conferences with representatives of the Federal Government, domestic producers have endeavored, on a voluntary basis, to maintain the 36-cent-per-pound producers price for domestic copper in the U.S. market. These producers have continued to maintain this price level to the present time.

The prices for copper outside the United States, however, have ranged in recent months from a minimum of 42 cents per pound to a maximum of about 90 cents per pound. The spot price of copper on the London Metal Exchange on May 3 was about 70 cents per pound. On April 14, 1966, Chile (which sets the price for its copper may be sold) announced that the price for its copper would be increased, effective July 1, 1966, to 62 cents per pound from 42 cents.

The administration has taken several steps to prevent similar sharp increases in the price of copper in this country and to safeguard U.S. supplies of copper for U.S. consumers. It (1) released about 200,000 short tons from the national stockpile in November 1965; (2) tightened export controls through its export licensing authority on November 24, 1965, December 14, 1965, and January 20, 1966; (3) requested the Commodity Exchange to increase margin requirements

on copper futures from 10 percent to about 70 percent in an effort to curb speculation; (4) authorized an additional 200,000 tons of copper to be released from the national stockpile during 1966; (5) is attempting to expand domestic output through subsidy payments; and (6) has entered into agreements with the governments of copper-producing nations to hold a United Nations conference in an effort to stabilize production and prices. These actions are part of a four-step program announced November 17, 1965, to maximize the supply of copper in the United States to provide for stabilization of the domestic market, and to maintain a noninflationary price level for copper. The copper program, as well as an arrangement with Chile to insure that the quantity of copper it previously exported to this country will continue to be available to U.S. consumers at the lower U.S. price, is described in a letter addressed to the chairman of the Committee on Ways Means by the Under Secretary of State. This letter appears in the appendix of this report.

H.R. 12676 would lower the cost of imported copper to U.S. consumers by the amount of the U.S. import duty and to that extent would help prevent a rise in the U.S. price of copper during the present shortage. However, so long as the world price for copper is far higher than the U.S. price (as it is today), eliminating the 1.7-cent duty will attract little foreign copper to the U.S. market. On the other hand if the price differential narrows the duty suspension provided by this bill could make a significant contribution to our efforts to assure adequate copper supplies at reasonable prices.

As stated above, H.R. 12676 provides for a temporary suspension of duty on copper raw materials and copper scrap, for the period February 9, 1966, to June 30, 1968, both dates inclusive. Your committee notes that similar legislation has been favorably reported by your committee and enacted by the Congress for periods in the past when the available supply of copper was insufficient to meet demand and pressure on prices existed. The periods covered by such prior enactments are as follows: April 30, 1947, to the close of March 31, 1949 (Public Law 80-42, approved April 29, 1947); April 1, 1949, to the close of June 30, 1950 (Public Law 81-33, approved March 31, 1949); April 1, 1951, to the close of June 30, 1958 (Public Law 82-38, approved May 22, 1951, as extended by Public Law 83-4, approved February 14, 1953; Public Law 83-452, approved June 30, 1954; and Public Law 84-91, approved June 21, 1955).

The suspensions of duty provided under H.R. 12676, as reported by your committee, would be inapplicable during any period in which the price of electrolytic copper in standard shapes and sizes, delivered Connecticut Valley, is below 24 cents per pound as determined pursuant to headnote 5, subpart 2C, schedule 6, of the Tariff Schedules of the United States. It would also be inapplicable to copper from Communist countries.

Your committee has received favorable reports on H.R. 12676 from the Departments of State, Treasury, and Commerce, as well as an informative report from the U.S. Tariff Commission. Your committee recommends expeditious enactment of this legislation.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TO PERMIT THE PLANTING OF ALTERNATE CROPS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amending of the Senate to the bill (H.R. 15151) to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

Mr. SYMINGTON. Mr. President, frequently during the extended consideration given on the floor of the Senate to H.R. 15151, a bill primarily designed to give emergency assistance to cotton producers who have been suffering from natural disaster this spring, there has been complaint that this bill has not received adequate consideration. Actually, it has received a great deal of consideration since its introduction and that of other similar measures both in the House and the Senate some 3 weeks ago.

Because of the almost unprecedented heavy rainfall in the cotton counties of Missouri and other cotton producing areas of the Mississippi Valley—Arkansas, Tennessee, Kentucky, Mississippi, Louisiana and Texas—on May 19 I joined with a number of other Senators in cosponsoring S. 3382 to permit planting of soybeans in lieu of cotton on cotton acreage not planted because of this natural disaster, without loss of cotton equalization payments or diversion payments for participating farmers.

On the preceding day, May 18, several similar bills, including H.R. 15151, had been introduced in the House by Members of that body from these affected areas.

There was some discussion yesterday that this bill had not gone to the House committee. That was not correct. Actually the bill was considered in two separate meetings.

On Friday morning, May 20, members of the House Agriculture Committee met for a hearing on this bill and on Tuesday morning, May 24, that committee met again, acted on the bill introduced by the Honorable PAUL C. JONES of Missouri. At this meeting on May 24, the committee agreed unanimously to amend the bill so that it would "permit the planting of alternate crops on acreage which is unplanted because of a natural disaster" not only for cotton but also for feed grains and wheat.

The House, recognizing the emergency, accepted the amendment and passed the bill that same day, Tuesday, May 24, and sent it to the Senate.

Also recognizing the emergency, the able and distinguished chairman of the Senate Agriculture Committee on Thursday, May 26, requested that the bill remain at the desk so that it could be taken up immediately. He had consulted with the majority leader and the minority leader and those interested in the bill and there was no objection whatever to taking it up.

Subsequently, however, despite requests from a number of Senators interested in immediate consideration, the senior Senator from Delaware [Mr. WILLIAMS] did voice objection and asked that

H.R. 15151 go over for consideration until after the Memorial Day recess. The bill was placed on the calendar and was put over until the next week.

On Wednesday, June 1, there ensued a lengthy debate filling some 10 pages in the RECORD. The junior Senator from Tennessee [Mr. BASS] acted as an able floor manager. There were five record votes. Three amendments offered by the Senators from Delaware [Mr. WILLIAMS] and Iowa [Mr. MILLER] were defeated and one amendment offered by the Senator from Delaware [Mr. WILLIAMS] was accepted.

During this debate in the Senate the Senator from Tennessee [Mr. BASS] made it clear that he objected to any amendments because they would only further delay this bill. Frequently during the discussion the Senator from Tennessee pointed out that once passed to meet the immediate need, amendments to the law could later be considered in the normal way.

The bill then went to conference on Monday afternoon, June 6. The results of that conference appear in the CONGRESSIONAL RECORD of the House on Tuesday, June 7, page 11878, and were reported in the Senate yesterday by the Chairman of the Senate Committee on Agriculture [Mr. ELLENDER].

Because they knew the bill as amended by the Senate would be vetoed, the House members of that committee refused to accept the Senate amendment and the Senate conferees receded.

Without a single dissenting vote, recognizing the importance of this problem to many farmers, some of whom already are going bankrupt as a result of the natural disaster in their area, the House once again promptly passed H.R. 15151 and sent it to the Senate.

As Members of the Senate know, yesterday afternoon the bill was again taken up in the Senate, as reported in the RECORD starting on page 12086, and once again the provisions of the bill were discussed at considerable length, some 12 pages in the RECORD.

THE MERITS OF H.R. 15151

Now there has been considerable discussion about the merits of this bill. There have been charges that the enactment of this measure would provide a windfall to certain farmers. There have been allegations that this bill would cost the Government substantial sums of money. There have been charges that someone is trying to slip something over on the Senate.

The able Senator from Kentucky [Mr. COOPER] answered this charge of slipping something over more effectively than I could this morning.

I dispute all of these charges. First, I want to point out in no uncertain terms that the only purpose of this bill is to remove an inequity that came about and was unforeseen when the Food and Agriculture Act of 1965 was enacted into law.

Senators will recall that the cotton provisions enacted last year established a domestic allotment. That law also provided for price-support loans for cotton at not more than 90 percent of the world price. The loan rate for 1966 was

set at 21 cents per pound. This was done in order to provide our domestic mills the opportunity to purchase cotton at world prices. Then in order to provide our domestic producers with some price and income protection the Congress authorized a price-support payment which in 1966—this was for the producer—was set at 9.42 cents per pound.

Under the 1965 act cotton producers hit by a disaster are eligible for the price-support payments of 9.42 cents per pound whether they had actually planted or not. But the producer who was lucky enough to get his seed in the ground before the disaster was permitted, under the 1965 act, to subsequently plant his cotton acreage to other crops, including soybeans, without penalty. This farmer can plant soybeans and still receive his cotton price-support payments.

On the other hand, the poor farmer who had gone to all the expense of preparing his land for planting, had purchased seed and fertilizer, but was prevented from the actual planting of the seed by the disaster, under the 1965 act, is in the unfortunate and inequitable position of being penalized by the loss of his cotton price-support payments if he were to do as his neighbor did, and plant soybeans. This unfortunate farmer must either let his land be idle, or plant to cotton fully knowing that he will make a poor crop.

This then is the inequity that this bill tries to correct. We are only trying to put both of these farmers on the same footing. We are only trying to permit both of these farmers to plant soybeans without penalty. We are only trying to give the unfortunate farmer the opportunity to plant a crop that this country needs rather than to force him to plant cotton, a crop that is neither needed nor desirable at this time.

Under no circumstances can this be referred to as a windfall, for, as I have shown, the fact is that all cotton producers hit by disaster are eligible for price-support payments under the 1965 act whether they had planted or not.

This will not cost the Government any additional money. As a matter of fact, it may well save the Government substantial sums, for the fact is that soybeans are in very short supply, while the Government has huge stocks of cotton in its warehouses. As of April 30, the Government had \$2.3 billion invested in 15.1 million bales of cotton.

It would seem to me that it makes much sense for the Senate to do all that it can to reduce the stocks of cotton and, on the other hand, to make possible the production of larger amounts of soybeans which are today in great demand. This year the best estimates indicate that cotton production will be less than our requirements; therefore, the Government will be able to reduce its stocks.

This bill would further the reduction in Government stocks by not limiting cotton farmers who had suffered disaster only to the production of cotton. I repeat, Mr. President: This bill would further the reduction in Government stocks by not limiting cotton farmers who had suffered disaster only to the production of cotton. With the loan value at 21 cents per pound, each bale

of cotton sold by the Government would put about \$105 or more into the Treasury. This makes good sense.

Let us not be misled to believe that farmers will let land lie idle. Farmers who have been hit by a disaster will plant cotton unless this bill is approved; and even if they do not make an average crop, additional unnecessary cotton will be produced. This practice would not be wise from the standpoint of the Government.

But notwithstanding these good arguments, I return to this matter of equity. One farmer who was unfortunate enough not to be able to plant his cotton, should be permitted to have the same opportunity as the farmer who was able to plant, before the natural disaster. All of us from farm areas know that not all farmers proceed on a schedule set from above. Neighboring farms may have land conditions, or drainage problems quite different from each other. Other factors enter in also, but, without question, one farmer can and does plant before another. We also know that farmers cannot decide on the spur of the moment to buy cotton seed and fertilizer. In most cases, these arrangements are made much in advance of the actual planting. A farmer must have seed available when the field is ready to be planted, and plans must be made far in advance of planting. Farmers are businessmen, and without plans they would not last.

I can see no justification for a payment limitation. I can see no justification for treating one farmer different from another. I believe that all farmers should be treated alike. Some Senators may not be aware that under the 1965 act, feed grain producers—disaster or no disaster—are permitted under certain conditions to substitute soybeans for feed grains and still receive the feed grain price support payments.

While I do not have the figures, many knowledgeable people feel that there will be substantial substitution of soybeans for feed grains this year. In my opinion, it is only equitable that we permit cotton farmers, under even more controlled circumstances, to substitute another crop for cotton.

Mr. President, I hope this conference report will be approved today by the Senate, and I yield the floor.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the motion of the Senator from Delaware [Mr. WILLIAMS] to postpone consideration of the conference report on H.R. 15151 to June 15.

Mr. ELLENDER. Mr. President, I should like to set the record straight.

As I understand the situation, the distinguished senior Senator from Delaware [Mr. WILLIAMS] said that the bill was introduced in the House on one day, taken up on the next day, and acted on without hearings.

The RECORD shows that the bill was introduced in the House—and I have a copy of it here—under date of May 18,

1966, and that it was referred to the House Committee on Agriculture and Forestry.

The committee considered the bill and held hearings on May 20 and May 24. The bill was reported to the House on the day that the hearings were concluded. The bill was reported with amendments, considered, and passed. This was all done by unanimous consent.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. GORE. Mr. President, the motion to postpone action on the conference report to June 15, would, in fact, nullify the very purpose of the bill and the conference report.

I hope that the Senate will recognize that, if this motion is adopted, the effective date would be postponed until after the planting season. It would therefore kill the bill. Is that not correct?

Mr. ELLENDER. It would kill the effect on the bill. That is correct. That is what I desire to point out.

When the bill was sent to the Senate prior to May 26, I had an understanding that the bill would remain at the desk until such time as I could obtain consent from the majority and minority leaders to take the measure up without referring the House bill to the Senate Committee on Agriculture and Forestry.

We had before us and identical bill, and I checked with the committee. There was no opposition to the measure at all, and no hearings were ordered to be held.

Mr. President, I should like to read excerpts from the RECORD of Thursday, May 26, 1966.

I read from page 11001:

Mr. ELLENDER. Mr. President, there is at the desk H.R. 15151. I requested that that bill remain at the desk so that we may be able to take it up this morning.

I have consulted with the majority leader and the minority leader and those who are interested in the bill. There was no objection to taking it up today.

However, I have learned in the last few minutes that there is objection. There will be objection urged by the Senator from Delaware [Mr. WILLIAMS].

A Senate bill similar to this bill—H.R. 15151, which has been enacted by the House of Representatives—is before the Committee on Agriculture and Forestry.

I have consulted many members of the committee, and there is no objection to it.

My purpose this morning is simply to ask unanimous consent that this bill be considered, and since there will be objection, I ask unanimous consent that the first and second reading be dispensed with and that the bill be placed on the calendar so that we might be able to take it up tomorrow.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I would object to its being taken up that quickly. If it is desired to put the matter on the Senate Calendar, to be taken up after the Memorial Day recess, I have no objection.

When I discussed the matter with the Senator from Delaware [Mr. WILLIAMS], there was no idea of holding hearings on the measure. The Senator never suggested it. All that he desired was a little time in which to look into the bill.

I read further from page 11001, the statement of the Senator from Delaware:

I wish to point out one matter. This bill was introduced in the House of Representatives on Tuesday of this week and passed the same day it was introduced.

That statement is incorrect. As I have just indicated, the bill was introduced on May 18. Hearings were held on May 20 and May 24. The bill was reported on May 24 to the House and passed by the House.

I continue to read from the statement of the Senator from Delaware on page 11001:

It never appeared on the calendar of the House of Representatives. It never appeared on the calendar of the Senate. Now it is being asked that the bill be passed without going to the Senate committee.

I think that the least we can do is to put it on the calendar and let it go over for a couple of days so that those who are interested can understand what is being done and those who have objection may have an opportunity to examine the bill.

If the bill is going to be put on the Senate Calendar with the understanding that there will not be any effort to bring it up for consideration until next week. I have no objection to the unanimous-consent request. Otherwise, I do object.

Mr. ELLENDER. Mr. President, we have no recourse, I assume. We consent to that reluctantly.

I had in mind that this was an emergency bill, and that it should have been taken up before the Memorial Day recess. However, I reluctantly consented to having the measure placed on the calendar.

I continue to read from my statement on page 11002:

Mr. President, I renew my unanimous-consent request.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I understand that the request now is that it go direct to the Senate Calendar with the understanding it will not be motioned up until next week.

Mr. ELLENDER. The Senator is correct.

Mr. WILLIAMS of Delaware. No objection.

Mr. President, following that debate, I had placed in the RECORD a full explanation of the bill together with other matters pertaining to the measure.

When the matter was debated in the Senate, the Senate did agree to the \$10,000 limitation. The bill was then passed and sent to conference, and the conferees met. The House was adamant in behalf of its version. The matter now before the Senate is for us to vote up or down what the conferees did.

Of course, as was pointed out yesterday, the House would not go along with the \$10,000 limitation, and since the House would not agree, since it was adamant, the Senate conferees bowed to the wishes of the House, and the matter before us now is to vote this conference report up or down.

As was pointed out by the distinguished Senator from Tennessee, if the motion of the Senator from Delaware is agreed to, it will simply mean another delay until after June 15th. All of that delay, Mr. President, will simply mean that it will be too late for farmers to plant soybeans in lieu of cotton where disaster struck. Mr. President, I was surprised at the action taken by the Senator from Delaware. I thought when the Senate before the holiday, all he wanted

was time to look into the matter. But I find now that he wishes to kill the bill. In my opinion, that is exactly what he wishes to do.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ELLENDER. The Senator from Delaware has always been against farm bills; I do not know the last time he voted for one. Senators will recall that during the debate on the enactment of the 1965 farm bill, the distinguished Senator from Delaware tried on at least three or four occasions to limit the payments, and the Senate would not agree to that. Not only at that time, but on previous occasions the Senator from Delaware has tried to limit the payments to farmers.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ELLENDER. With always the same result; that is, that Congress went against him.

I yield to my junior colleague.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The junior Senator from Louisiana is recognized.

Mr. LONG of Louisiana. Mr. President, my senior colleague may recall that just a few weeks ago, the Senator from Louisiana was handling a measure on the floor and the Senator from Delaware opposed it very vigorously. He did not prevail, but it went to conference and we brought back a conference report that should have been more to his liking than the bill we passed. But the Senator made a very vigorous fight, and delayed the conference report for a few days, fighting the same battle all over again.

I admire the consistency and sincerity of the Senator, and his determined effort to defeat something he does not agree with. But I suggest that if every Senator were to insist on being so diligent in opposing measures with which he did not agree, we could be here until this time next year, passing bills that could have been passed in half that time.

Mr. ELLENDER. Mr. President, I wish to say further that I believe this bill has received due consideration. The only purpose of this bill is to correct an inequity that came about with the implementation of the Food and Agriculture Act of 1965.

Under that law a producer who plants cotton on his lawfully permitted acreage is entitled to price support payments. If some disaster prevents his making a crop, he can replant his land to another commodity without losing his cotton price support payments.

Existing law further provides that a producer who is prevented from planting cotton because of a natural disaster is also entitled to cotton price support payments, but in such case he gets his payments only if he does not plant another income producing crop on his permitted cotton acreage.

There is, of course, very little difference between the producer who planted his cotton just before the flood or other disaster and the farmer who had bought his seed, plowed his ground, and done everything but plant. There is also no advantage to the government in prohibiting the latter producer from plant-

ing some other crop that is not subject to marketing quotas or a voluntary adjustment program. Such economic waste accomplishes no good for anyone. The entire purpose of the bill, therefore, was to permit such a farmer who had been prevented from planting his permitted cotton acreage to plant some other crop not subject to an adjustment program and still obtain his price support payment.

The House Conference Committee members and many Senators feel that there is a clear inequity in existing law regarding the treatment of farmers who have planted and those who have not had an opportunity to plant where both have been struck by disaster. The existing law is clear as regards those farmers who have been lucky enough to get their seed in the ground. These producers are entitled to the payments under the law and can plant soybeans or any other income producing crops without penalty. On the other hand, the producer who may have plowed his field, fertilized, bought the pesticides and seed, but who was not permitted to plant because of disaster, is in the position where his payments would be lost if he were to plant soybeans or other income producing crops. In other words, this second farmer is forced by law to plant cotton or leave his land idle. And, as all of you know, no good farmer ever wants to leave land idle. It goes against his nature to see a resource go to waste. Therefore, fully expecting to make less than a good crop, he would go ahead and plant his fields to cotton.

Under such circumstances, it seems to me to be ridiculous that the Government is paying this farmer to divert acres from the production of cotton, and at the same time forcing him to plant a crop that is not needed. The report of the Commodity Credit Corporation, as of April 30, shows that the Government has about \$2.3 billion invested in 15.1 million bales of cotton. To force farmers to plant cotton, a commodity that is not needed, is especially ridiculous when everyone knows that this Government has done all it can to encourage the production of soybeans, a crop that is very necessary, and a crop that is in short supply.

It would be good sense indeed to agree to this conference report solely on the basis of savings to the Government. With Government cotton stocks as high as they are, we should do what we can to reduce them. Therefore I urge that the motion to postpone further action until June 15th be rejected.

Mr. MILLER. Mr. President, I support the motion of the Senator from Delaware, and I wish to say this: Last week when we were debating this bill, it appeared to me that the bill had been rather hastily considered, that it had not been thought through as completely as it should have been, and that there was some inequity present in the bill.

But when I sought to offer on the floor an amendment to work what I considered equity in the bill, I was immediately met by the reply that no amendments would be considered at all, that this was emergency legislation, and that if the bill did not pass just right then and

there, there would be no need for it at all. I believe the RECORD will bear that out.

However, somewhere along the line an amendment to the bill was in fact adopted, and here we are, a week later; and, if we are to believe the statement of the manager of the bill at the time, it is already too late for the bill to do any good; otherwise there would have been no reason not to consider the amendments that were sought to be offered to try to make this into a better bill.

I personally thought that we were rushing it too much, but the manager of the bill did state that that bill had to pass right then and there, or else there would be no need to have it. So I do not believe that the motion of the Senator from Delaware will harm it any more than it has been harmed already, because the Senate did see fit to agree to an amendment, and that has resulted in about a week's delay.

I regret that there was not some opportunity for a hearing to be held on this matter—even a rather perfunctory hearing. I originally moved to refer the bill to the Committee on Agriculture, hoping that that could be done, and that the Committee on Agriculture could have a rather rapid hearing.

That was objected to. I even offered to negotiate a time certain on it. That was objected to. The whole atmosphere was that the bill had to be passed on that day, or else it would not be of any use at all.

Mr. BASS. Mr. President, will the Senator yield to me?

Mr. MILLER. Yes, indeed.

Mr. BASS. I made no such statement. I think I am the Senator to whom the Senator refers, and I made no such statement, that if it were not passed that day, it would not do any good.

I made the statement that it was an emergency, and was needed at that time.

Mr. MILLER. That is correct.

Mr. BASS. If the Senator will permit me, let me add this: The longer the bill is delayed, the less effective it will be, and the poorer crop the affected farmers can produce. That is the statement I made. But if the Senator from Iowa can find anywhere in the RECORD that I said that if it was not passed that day, it was not needed, I wish he would point it out.

Mr. MILLER. I am sure that the tenor of the Senator's remarks was that it was an emergency, and that action at once was vital, and that that was why he would object to any amendment whatsoever. Any amendment at all was just out, as far as the Senator from Tennessee was concerned.

I can understand the Senator's attitude, if this was an emergency and it was so vital that great damage would be done if the bill failed of immediate passage.

But the damage presumably has already been done. The damage was done when the Senate did agree to an amendment and it went to conference. That was a week ago. So I suggest that the motion of the Senator from Delaware is not designed to do any more harm to the bill than has been done by the delay that has already occurred.

Mr. President, my friend, the junior Senator from Tennessee [Mr. BASS] has questioned what I said about certain remarks made on the floor on June 1. In order that the RECORD may be absolutely clear on this point, I wish to quote from the RECORD of June 1, page 11427:

Mr. WILLIAMS of Delaware. They will be. I am wondering whether the Senator from Tennessee would not recognize the merits of the proposal and be willing to accept the \$5,000 limit on these payments?

Mr. BASS. I could not accept the amendment even if I thought it had merit, for reasons which I have been explaining all afternoon; namely, that this is an emergency measure. The farmers have had a disaster—

Mr. ANDERSON. Where?

Mr. BASS. If they do not get this pending legislation and get the privilege of planting this crop within the next 5 days, the time will be gone.

That colloquy occurred on June 1, 1966. It is now 8 days later. If the time was "gone" on June 6, according to the manager of the bill, I wish to repeat that I do not believe that the position of the Senator from Delaware [Mr. WILLIAMS] for the adoption of an amendment and the subsequent conference activities, is designed to do any more damage than has resulted already.

Mr. WILLIAMS of Delaware. I thank the Senator from Iowa.

The Senator's statement is correct. This motion to delay the matter until the Committee on Agriculture and Forestry can find out what they are doing is not out of order.

Much has been said about dealing with emergency legislation and that this must be dealt with in the next few days. That argument of urgency has prevailed throughout the debate, and it is a farce. We are acting on a 4-year program. This bill lays out the formula for the next 4 years. The proponents of the legislation vigorously objected to, and were successful in defeating, a proposal that this be limited to the 1966 crop. No; they wanted a 4-year plan on the basis that once they got their hands in the Federal Treasury there would be an emergency for 4 years.

As to the manner in which this proposal was handled, it is true that a bill was introduced on May 18. I mentioned that in my remarks. But the bill of May 18, as it was introduced, dealt only with cotton. It is not the same as the bill before us now. The bill which was reintroduced on May 24 and reported by the House committee on the same day it was reintroduced included not only cotton but also feed grains—corn, wheat, and others controlled crops—and it was permanent legislation instead of 1 year. That bill was introduced in the House of Representatives and was reported as a clean bill on the 24th. It was voted on by the House of Representatives on the same day, before any copies of it were made available to Members of the House. Only one copy was at the desk when the House voted on the bill.

The bill came to the Senate. The Senator from Louisiana [Mr. ELLENDER] asked that it be stopped at the desk and brought up for immediate consideration. At that time I made the point that again

only one copy of the bill was available—only one copy. I said that surely the emergency was not so great that the matter could not go over until the bill was printed. It was carried over, and the bill was printed, as I suggested.

During the debate a couple days later, we offered amendments, and we were successful in placing a limitation of \$10,000 on the maximum payment which any one farmer could receive for a crop which he had never planted.

Remember that this bill deals with payments to farmers on crops which they have not planted, which will never be planted, and which they only intended to plant, and then the bill will allow them to use the same acreage to plant soybeans or some other crop under price supports. That is what we are dealing with in this legislation. As to the need for a \$10,000 limitation, the Senator from New Mexico [Mr. ANDERSON], a former Secretary of Agriculture, who is certainly not considered to be antifarmer, joined in supporting that amendment and pointed to one particular example of a farmer he knew with a 1,000-acre cotton allotment and an average production of four bales per acre. This was in an area that was a so-called disaster area. Conceivably this man could collect \$200,000 from the Government for 1,000 acres of cotton which he had not planted and then could on that same acreage plant a crop of soybeans and get price supports from the Government.

My amendment would limit the payment to that individual, or to any other individual, to \$10,000. It was stated that on the basis that this amendment was adopted by the Senate the President would veto this legislation, and the bill would therefore be lost.

Why would the President veto this legislation? This limitation is in accord with his own proposal.

In his message to Congress the President of the United States, Lyndon B. Johnson, advocated and recommended regulations or limitations on payments, thereby confining the benefits to the small farmers.

None of the supporters of this legislation have accused President Johnson of being a political hypocrite or indicated that he did not mean it. Yet, now that the Senate has passed a limitation, we are told he would veto the bill because it affected some large Texas farms.

I certainly am not making any such accusation against our President. The President in his message to Congress—this Congress—the one which is in session now—advocated restrictions on payments to large farmers. Yet, we are told that now that the Senate has carried out his request he did not mean it, that he will veto such a bill.

Let me quote another statement the President made the year before, in 1965, in his message to Congress:

I have instructed the Secretary of Agriculture to lead a major effort to find a new approach to reduce the heavy cost of the farm program and direct more of our efforts to the small farmers who need the help most.

We are now told that a limitation will be vetoed. Had the proponents of this legislation not been so determined to

take care of the large farms—corporate farmers—who have not planted their crops and who would get in excess of \$10,000, had they not been so interested in taking care of these large farmers, the bill would have been on the desk of the President last Thursday and could have been signed. But, no, it is held up. It is still in the Senate today. Why?

Because they are more interested in protecting the larger farmers than they are the small farmers.

The Senator from Tennessee [Mr. Bass] said much about being interested in this bill and wanted to get it passed quickly.

In the State of Tennessee there are 55,665 cotton farmers, and only 99 would be affected at all by the limitation on the amendment which was adopted in the Senate. Yet we are told that if we cannot take care of the 99 large operators in Tennessee, then the other 55,000 and more can do without.

In Texas, there are 167,208 cotton farmers, but only 5,180 affected at all by this limitation.

In the State of Louisiana there are 29,538 cotton farmers, and yet only 415 would be affected by the limitations in the amendment.

Mr. President, this is a case of the administration's determination to take care of a small number of large farmers that we are here debating today—whether we pay these \$150,000 or \$200,000 payments to these corporate type operations which are not planting cotton, or whether they should be limited to \$10,000. Remember that this is not a payment on a crop that is destroyed after it has been planted. These are payments to farmers for something that they will say they intended to do, but because of weather they are going to plant other crops. They want their large payments for not planting and their permission to plant the same acreage in another crop.

Mr. President, much was said in criticism of Henry Wallace a few years ago for advocating a program of killing pigs and paying farmers for plowing under every third row of cotton. Henry Wallace was a rightwing conservative compared to this administration. Here, in the pending conference report, they are proposing to pay for pigs which have never been born. The Federal Government under this bill will pay a man \$200,000 just for thinking about planting cotton provided he changes his mind before he plows his field. Afterward he can plow the land and plant a soybean crop, but he keeps his payments.

We will be paying farmers for cotton acreage, corn, and other crops solely because they are thinking about planting; then they raise soybeans instead.

This is a wrong program in the first place even with limitations, but if the Congress is going to go ahead and pass it, surely we can keep it limited to the small farmer and not be so concerned about the large payments.

Yesterday, I cited an example of a large operator in the State of Arizona. This gentleman is renting his land from the State of Arizona. I have a letter here from the Governor's office stating

that he is paying them an average of \$3.60 to \$4.50 per acre for this land that he is renting from the State.

The Department of Agriculture has confirmed that this same land has been planted in cotton, for which they are paying him as high as \$51.70 per acre under this program.

Under the provisions of the pending bill he can get \$51.70 per acre for the cotton that he considered raising on this land, then he can raise a crop of soybeans on the same land and get price supports on that crop. Is this the Great Society?

Just where are we going to stop? Are we going to start paying unemployment insurance to the man who holds a job on the side? Are we going to allow him to draw both checks? There is just as much merit in that proposal as to allow any farmer to draw two Government checks on the same acreage, particularly with no limitations as to the amount that he can draw.

An attempt was made yesterday to advance the argument that, Well, they have a letter from the general counsel interpreting the bad effect this limitation would have on the entire program. Significantly, that argument was dropped this morning. I commend those supporting the bill that it has been dropped because it was the most ridiculous argument and fuzziest interpretation I have ever seen put out by any man who holds a responsible public office.

I was very much amazed to see such a fuzzy ruling until I recognized the name of the man who wrote the letter.

I discovered in looking at the record further that the same Mr. Bagwell who wrote yesterday's fuzzy ruling on the Department's position is the same Mr. Bagwell who on April 11, 1962, wrote an equally fuzzy ruling and stated that all of Billie Sol Estes' activities had been legal and that there was nothing for the Department to be concerned about. Later Billie Sol Estes went to the Federal penitentiary. That shows what the court thought of this general counsel's ruling, and my opinion of the man's ability is even lower.

He is just a convenient rubberstamp, ready to issue any ruling needed to fit the occasion.

My own personal opinion is that this gentleman should be put out of office—perhaps we should put him on a farm and then he would learn something about farming. I do not really want to put him on a farm in our area because I have too much respect for our farmers, and none as to what this man's knowledge of either farming, law, or the agricultural program in general is.

There are 762,257 farmers producing cotton in the United States.

Out of that number, only 10,470 are affected by the \$10,000 limitation. The administration forgets the 250,000 small farmers and concentrates on taking care of these 10,000, all of whom will get in excess of \$10,000, some as high as \$200,000, solely for thinking about raising a crop, never putting a plow to the ground, never putting a pound of fertilizer or seed in the ground, but still drawing as much as \$200,000 merely for thinking

about raising cotton crops—then they raise soybeans instead.

If that is what Congress wants then we should accept the conference report. If that is not what the Senate wants then let us adopt this motion, delay this matter until next week, get the Department down before the committee, and find out whether the present administration meant that we should confine this help to the small farmer or whether the President was merely making a political stump speech.

I am going to support a limitation, as the President advocated, by voting for the limitation in the bill; the alternative would be to assume the President was being a political hypocrite.

Mrs. NEUBERGER. Mr. President, I have been listening to the argument of the Senator from Delaware with a great deal of interest. I pride myself on being a small farmer, but I also pride myself on being for the consumers of America. It struck me as a contradiction when the Senator made his argument for his proposal, because, if he substituted the word "consumer" for "small farmer," the Senator would have cast a different vote yesterday than he did. The Senator voted against millions of consumers yesterday when he supported the private marketing group by voting for the cotton amendment. So I think he is not consistent.

Mr. WILLIAMS of Delaware. I appreciate that statement, and I would like, if the Senator wishes, to go into debate on that question of consumer interest. I have had great respect for the Senator from Oregon. I have always admired her and respected her. I respect her now even more because she is now indicating an ability to read other Senator's minds. This is something that few people can do.

Sure I am interested in the consumer. There may be a difference of opinion as to how best to serve the interest of the consumers. I am glad, however, that the Senator mentioned the consumer in this instance, because the consumers do have a vital interest in this act. Consumers are taxpayers. The consumers are the ones who will have to pay the taxes to make the \$200,000 payments to these large farmers. I only hope the Senator from Oregon will join me in saving the consumers as taxpayers this amount of money. I hope she will join me.

In addition, it is a fact that these large corporate operations subsidized by the Government are not in the interest of the consumer or the small farmer. I do not think the consumers are interested in seeing that these large payments are made to large, corporate farmers; therefore I suggest that the consumers check the roll call vote on this proposal here today.

As to whether soybeans should be put in one size package or whether there should be a change in the way they are now measured in bushels is a matter of opinion on which there may be a difference of opinion, but surely there is no possible difference of opinion in the Senate that we want to save money for the taxpayers that is, if we really are interested in protecting the consumers.

The program before us has been recommended on the basis that it would save the Government money. That is utterly ridiculous. This is a multimillion dollar Great Society Give-Away, with the bulk of the benefits going to the largest operators.

No one really believes that it will save money. The fact is that it will increase costs and taxes to the taxpayers, each of whom is a consumer. They will have to pay for the program, and this program will surely cost money. Money is what we are dealing with in this program. Surely anything that increases spending on such programs costs the consumer money and represents that much more in taxes that the consumer has to pay.

One other factor involved is the inflationary effects of these deficit spending programs. As a result of the high cost of these Great Society programs the deficit of the present administration has exceeded \$36 billion in the last 5 years. In the last 5 years the Great Society administration, the one that is now in power, has spent over \$36 billion more than it has taken in. That is at the rate of \$500 million a month in the red.

That is inflationary. That is the reason why the consumers of America are having a job making both ends meet, particularly the aged. This administration has done more to pauperize the aged and retired people than has any administration in the history of America.

I thank my friend from Oregon for having reminded me of this fact. In the interest of the consumer I should have mentioned it earlier. I welcome the opportunity to mention this oftentimes forgotten group now, because the aged are the ones who are most affected by the inflationary policies of this administration.

I am disturbed by the continually expanding policy of deficit spending of this Great Society—planned deficit spending, as we were told in the Finance Committee by the Secretary of the Treasury and the Director of the Bureau of the Budget. They actually boasted that they were planning these deficits and now the result is this inflation. Now they are reaping the whirlwind of the inflation. They have started it, but do not know how to stop it. The only way to stop it is to stop these big spending programs, and the administration just will not do that.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mrs. NEUBERGER. Will the Senator tell me what I said that made him think I was trying to read his mind?

Mr. WILLIAMS of Delaware. I got the impression that the Senator from Oregon was trying to interpret my vote of yesterday. The Senator should realize that there may be a difference of opinion in the way we approach these problems.

Mrs. NEUBERGER. I think that is true on a great many of our votes.

Mr. WILLIAMS of Delaware. Some people forget that consumers are taxpayers. Farmers are taxpayers. The independent farmers and business men are taxpayers. I do not think we can

deal with one without considering the other.

To continue with what I was saying on behalf of the consumers as taxpayers this administration has been wasteful in the matter of spending, and I am not unmindful of the fact that since 1900 the Democratic Party when in office has spent \$314 billion more than it has taken in. Of our national debt 93 percent has been created by the Democratic Party. On only five occasions since 1900 has there been a surplus under the Democratic Party, and two of those surpluses were during the Republican controlled 80th Congress. We balanced the budget during those 2 years and also cut taxes—both achievements over the veto of a Democratic President, Mr. Truman.

Tax, spend, and elect has been the motto of the freewheeling spenders of this Great Society.

Those are facts which should concern every consumer in America. It is this extravagant record that I am trying to stop here today when I ask the Senate to place a limitation upon the amount of subsidy paid to each producer. When I vote for this limitation I am only carrying out what the President said he would support. Yet, now we are told that if we do approve the limitation, as he told us he wanted done, he will veto the bill.

Has the Senate no more faith than that in the sincerity of the man in the White House?

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mrs. NEUBERGER. For some reason, the people like the Democrats, because they seem to vote for the Democrats rather than for the Republicans.

This interchange has brought out one statement by the Senator from Delaware that I wanted to hear, and that was that consumers are being hard put to make both ends meet.

Mr. WILLIAMS of Delaware. I point out that it is going to get even harder for the consumers unless we stop this pyramiding of spending programs, and if we can get a program of "Truth in Government" there may be a change in election results.

FAIR PACKAGING AND LABELING

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Ohio.

Mr. LAUSCHE. As a consequence of the discussion which has just been had and in view of the discussion of yesterday concerning the present law dealing with packaging, I feel I should refer to the fact that word has been sent throughout the country that we have no laws adequate to deal with honest packaging on the law books today.

The fact is that what was in the packaging bill yesterday is now in the laws of the United States.

I want to point out that the Federal Food and Drug Act provides, in section 403, that food shall be deemed to be misbranded and falsely labeled if its container is so made, formed, or filled as to be misleading.

The Cotton amendment yesterday gave recognition to the law which is now on

the books. The law now in existence gives the U.S. Government the power to institute criminal prosecution against any merchant who sells his goods in packages that are so formed, made, or filled as to be misleading.

The present public officials have not used the laws which they have available. But the argument has been made that we need a new law. A new law, in all certainty, will be enacted; but the only result will be the creation of a new bureau, the hiring of new investigators and new lawyers, and the appointing of new administrators in a new department to do a job that can be done under existing law by the Food and Drug Administration.

Mr. WILLIAMS of Delaware. The Senator from Ohio is correct. The present law is adequate. What is needed is the enforcement of existing laws, and not more laws. The real purpose for requesting from Congress a new law is, as I see it, to take the Department off the hook or to excuse the present officials for their lack of enforcement in protection of the consumer. They have adequate authority, and if they have not been using it, they should be replaced, rather than having a new agency set up to do what they have failed to do.

I agree completely with the remarks of the Senator from Ohio.

Mr. LAUSCHE. I subscribe to one phase of the packaging bill that was before the Senate for consideration yesterday; that is, the requirement that the labels be so designed and printed as to make it simple for the housewife to understand what the quantity in the package is, whether fluid ounces or solid ounces. That is a provision that the bill contains, and I am certain that the Senator from New Hampshire [Mr. COTTON] and other Senators who voted for the Cotton amendment yesterday subscribe to that provision.

But I repeat: If it is desired to enforce fair packaging because a container is fraudulently designed, all that is necessary is to examine the Pure Food and Drug Act. A law already exists, and it is adequate. That law has not been used. No one has answered the argument I have made. No one has established that a law for this purpose does not exist. There is a law. All that is necessary is to use it.

I thank the Senator from Delaware.

Mr. WILLIAMS of Delaware. I thank the Senator from Ohio.

The bill before the Senate yesterday was labeled "truth in packaging." What I am insisting on here is truth in government. The American people have a right to know the truth about what is being spent by this administration.

The bill before the Senate is pictured as an emergency measure to take care of a disaster. What disaster? It is nothing of the kind. This is a 4-year bill. It will be on the statute books for 4 years. The sole purpose of the bill is to make payments to farmers for crops they only thought about producing, having never put a plow into the ground. After receiving the payments of \$50 to \$200 per acre based on their previous yields and

after receiving payments sometimes as high as \$200,000 per farmer they would then be allowed to raise a crop of soybeans or some other income-producing crops on the same acreage and receive price supports. This bill should be labeled the "Great Society Gravy Train."

I say again that the only question before us today is, Are Senators interested in taking care of the 760,000 small farmers in America, or are Senators more determined to take care of just the large operators merely because the latter happen to have a little more political influence?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware [Mr. WILLIAMS] to postpone action on the conference report until June 15. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from New York [Mr. KENNEDY], the Senator from Rhode Island [Mr. PELL], and the Senator from South Carolina [Mr. RUSSELL] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from New Mexico [Mr. MONTOYA], the Senator from New York [Mr. KENNEDY], and the Senator from South Carolina [Mr. RUSSELL] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], and the Senator from Vermont [Mr. PROUTY] are absent on official business.

The Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Idaho [Mr. JORDAN] is absent on official committee business.

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from New Jersey would vote "yea" and the Senator from Texas would vote "nay."

On this vote, the Senator from Idaho [Mr. JORDAN] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from Idaho would vote "yea" and the Senator from California would vote "nay."

The result was announced—yeas 24, nays 59, as follows:

[No. 90 Leg.]

YEAS—24

Aiken	Fannin	Morton
Bennett	Griffin	Murphy
Boggs	Hickenlooper	Pearson
Brewster	Hruska	Saltonstall
Cotton	Javits	Scott
Curtis	Lausche	Simpson
Dirksen	McIntyre	Smith
Dominick	Miller	Williams, Del.

NAYS—59

Bartlett	Hill	Muskie
Bass	Holland	Nelson
Bayh	Inouye	Neuberger
Bible	Jackson	Pastore
Burdick	Jordan, N.C.	Proxmire
Byrd, Va.	Kennedy, Mass.	Randolph
Byrd, W. Va.	Long, Mo.	Ribicoff
Cannon	Long, La.	Robertson
Clark	Magnuson	Russell, Ga.
Cooper	Mansfield	Smathers
Dodd	McCarthy	Sparkman
Douglas	McClellan	Stennis
Eastland	McGee	Symington
Ellender	McGovern	Talmadge
Ervin	Metcalf	Thurmond
Fulbright	Mondale	Williams, N.J.
Gore	Monroney	Yarborough
Harris	Morse	Young, N. Dak.
Hart	Moss	Young, Ohio
Hartke	Mundt	

NOT VOTING—17

Allott	Gruening	Pell
Anderson	Hayden	Prouty
Carlson	Jordan, Idaho	Russell, S.C.
Case	Kennedy, N.Y.	Tower
Church	Kuchel	Tydings
Fong	Montoya	

So the motion of Mr. WILLIAMS of Delaware was rejected.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to. Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LAUSCHE subsequently said: Mr. President, the Senate today approved what is called an emergency and disaster agricultural subsidy bill. It is to be operative for a period of 4 years. The bill as originally adopted placed a \$10,000 limitation on the amount that could be paid to a single farmer in a single year. The bill, as adopted by the House of Representatives, and today by the Senate, removed the \$10,000 limitation and now creates a situation where cotton growers will be eligible to be paid in excess of \$10,000. One of them will be paid \$250,000.

The bill was offered to deal with a disaster of cotton growers facing them in this year of 1966.

The purpose to deal with the disaster of 1966 by adopting a 1-year program has resulted instead in a 4-year relief program.

The injustice against the general taxpayer is further aggravated by the unbelievable fact that the cotton grower will become entitled to disaster payments by showing not that he planted cotton which was destroyed by disaster, but by only showing that he intended to plant cotton which, if planted, would have been destroyed.

After the grower establishes his rights to receive disaster payments in many instances, the payments being in excess of \$10,000—and at least in one instance of \$250,000—such grower will be permitted to plant other products; for instance, soybeans, and on this planting to receive another price support payment.

What we are doing in the Congress in giving away taxpayers' money is unbelievable, indefensible, and shockingly against every concept of decency. Senator JOHN WILLIAMS of Delaware is to be

commended for his persistence in disclosing to the Senate the weakness of this program. The President of the United States should veto the bill.

TOLLS FOR SHIPPING IN THE ST. LAWRENCE SEAWAY MUST NOT BE INCREASED

Mr. YOUNG of Ohio. Mr. President, hearings are now being conducted in Chicago by the St. Lawrence Seaway Development Corp., with regard to increasing the tolls on the St. Lawrence Seaway by as much as 10 percent. I understand that officials of the Port of New York Authority, the Maryland Port Authority, the North Atlantic Ports Association, the Association of American Railroads, the National Committee for a Non-Subsidized Seaway, so-called, and the New York-New Jersey Committee for a Self-Supporting Seaway are appearing to urge increased tolls. Most of these parties are honest enough not to mask their identities under such flagrantly misleading labels as committees for a nonsubsidized seaway. Nonetheless, the purposes of all are clear.

It appears that the old opponents of the St. Lawrence Seaway are once again out to scuttle it—this time by increased costs. They want charges raised, and other impediments placed in the path of this growing artery of transportation so that it can never achieve the purposes for which it was built. Present tolls are already highly restrictive. A ship traveling the 316 miles from Montreal to Lake Erie traverses some 185 miles of man-made channels and locks with an effective depth of 27 feet. When loaded with 15,000 tons of general cargo, this ship now pays seaway tolls and transit charges amounting to more than \$14,000. However, to travel comparable distances in the manmade channels of the Hudson River, 32 feet deep, the Delaware River, 40 feet deep, or the Mississippi River, 36 feet deep—the same ship with the same cargo would pay not one cent in tolls.

As a Senator from a State bordering the Great Lakes, I am dedicated to the growth of the seaway and the expansion of the ports on the Great Lakes, especially those in Ohio such as Cleveland, Toledo, Ashtabula, Conneaut, Fairport Harbor, and Lorain. I shall do my utmost to assure that the seaway ports can compete with ports on other coasts on a fair and equitable basis, especially with regard to access to the sea.

Mr. President, products manufactured in Ohio and in other Great Lakes States can now be shipped more economically by the St. Lawrence Seaway directly to the ports of Europe and other continents instead of being taken by truck or train to eastern seaports, unloaded, and then loaded on oceangoing vessels. The St. Lawrence Seaway holds tremendous potential for Ohio and for all the States in the Midwest and every effort must be made to encourage its use. Increasing toll rates would only work to destroy the effectiveness of the seaway.

Every dollar which our Government has spent to construct our share of the

seaway project is a borrowed dollar on which 3½ percent interest is being paid. Both principal and interest must be returned from toll revenue derived from all shipping within a 50-year period. There is absolutely no need whatsoever to increase tolls at this time when every effort should be made toward encouraging greater use of this important seaway.

I cannot, and will not, stand idly by while eastern interests, whose ports have enjoyed a steady increase in traffic since the St. Lawrence Seaway opened, undertake to cripple or further disadvantage the Great Lakes ports.

Should tolls on the St. Lawrence Seaway be increased, I intend to ask that the Senate Committee on Public Works critically review Federal expenditures for future improvements of entrance channels leading from the oceans to our U.S. ports with a view toward placing all entrance channels on the same self-liquidating basis as the St. Lawrence Seaway. All of this Nation's seaports, including the Great Lakes ports, should be placed on the same economic footing with equal rights of access to the oceans of the world.

Very definitely tolls for shipping using the great St. Lawrence Seaway should not be increased. Let us encourage and not discourage more and greater use of this seaway so important to the prosperity of the Middle West.

I yield to the senior Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, several days ago I made a statement on the floor of the Senate dealing with this subject. At that time I pointed out that a special committee of the Committee on Commerce, of which I was chairman, made a study of the operation of the St. Lawrence Seaway.

One of the conclusions reached was that an increase in tolls, instead of producing increased revenue would produce diminished revenue.

When the tolls were fixed it was assumed that the channel in the Great Lakes would be dug to a depth of 27 feet throughout the entire system of the lakes. That depth has not yet been reached.

Therefore, it can be justly said that the St. Lawrence Seaway has not yet been completed in accordance with the intention of the promoters at the time the legislation was adopted authorizing its construction.

We also have the situation that the cargo of the U.S. Government—which is the largest shipper of merchandise—because of the failure of ships carrying the American flag going into the Saint Lawrence Seaway, is not being carried out of the inland ports.

I concur strictly with the statement made by my colleague from Ohio that it would be a mistake to increase the toll. Greater tests should be made. We should wait until the entire channel is dug to a depth of 27 feet. We should wait to see that the Government begins carrying cargoes out of the inland ports, and not have them carried by rail to the Atlantic coast and then transferred into the flagships on the Atlantic coast.

I wish to commend my colleague for the position he has taken. I believe it is absolutely sound.

Mr. YOUNG of Ohio. Mr. President, I wish to thank my distinguished colleague.

He has made a most convincing statement. In addition, several days ago he made a very convincing statement in this Chamber that the tolls should not and must not be increased.

FAIR PACKAGING AND LABELING ACT

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

The PRESIDING OFFICER. Under the unanimous-consent agreement, debate on each amendment is limited to 1 hour, to be equally divided and controlled by the mover of any such amendment and the Senator from Washington [Mr. MAGNUSON]; and on the question of final passage of the bill, the time will be limited to 3 hours, to be divided equally and controlled by the majority and minority leaders.

AMENDMENT NO. 576

Mr. MAGNUSON. Mr. President, last evening, before we took up the conference report, the Senator from Kentucky had proposed an amendment to the bill. Is that amendment now pending?

The PRESIDING OFFICER. The Senator is correct. The pending amendment is the one offered by the Senator from Kentucky [Mr. MORRIS].

The amendment is: on page 25, between lines 16 and 17, insert the following new section:

SEC. 8. In order to prevent certain unfair practices that deprive manufacturers and retailers of the protection they should enjoy on the basis of fair competition and to protect consumers by guaranteeing fair prices and quality goods and to assist consumers in making price comparisons, and for other purposes, section 5(a) of the Federal Trade Commission Act, as amended, is further amended by adding at the end thereof the following new paragraphs:

"(7) The owner of a brand, name, or trademark shall be deemed to retain his property rights therein, and in the trade and public good will symbolized thereby, regardless of any sale or transfer of the goods to which such brand, name, or trademark relates, and no such sale or transfer shall be deemed to diminish or extinguish any such rights.

"(8) Any person who resells goods identified by a distinguishing brand, name, or trademark, either on the label, container, or dispenser thereof, may rightfully employ such brand, name, or trademark, but only in effecting the resale of such goods and subject to the following provisions of this paragraph. If goods usable for the same general purpose are available to the public from sources other than the owner of such brand, name, or trademark, and are in free and open competition therewith, the right of any person to employ such brand, name, or trademark in effecting resale of goods so identified may be

revoked for a period not exceeding one year by the owner of such brand, name, or trademark, subject to the provisions of paragraph (10) of this subsection, on written and dated notice of revocation, if, within ninety days prior to the date of the written notice of revocation—

"(A) such person has employed goods bearing such brand, name, or trademark in furtherance of bait merchandising practices;

"(B) such person, after written notice given by such owner of such owner's currently established resale price or price range, has advertised, offered for sale, or sold any such goods, acquired by such person after he has been given such notice, at a price other than such currently established resale price or at a price not within such currently established resale price range; or

"(C) such person, with intent to deceive purchasers, has published a misrepresentation or misrepresentations concerning such goods.

The owner of a brand, name, or trademark who avails himself of the provisions of paragraphs (7) to (17) of this subsection for the purpose of establishing a resale price or price range shall thereby subject himself, without respect to the amount in controversy, to the jurisdiction of the district court, of the United States for any district in which goods identified by such brand, name, or trademark are offered for sale, but such jurisdiction shall apply (i) only for the adjudication of issues involving the goods covered by such paragraphs (7) to (17), and (ii) only if the owner of such brand, name, or trademark is not subject to process in the courts of the State in which such purchaser acquired such goods.

"(9) Notwithstanding revocation pursuant to paragraph (8) of this subsection of the right of a person, in reselling goods, to employ the brand, name, or trademark which identifies such goods—

"(A) such person may, in the regular course of his business and within a reasonable time after the date of such revocation, sell all such goods of which, on such date, he is possessed: *Provided*, That in such sale he shall commit none of the acts described in subparagraphs (A), (B), and (C) of such paragraph (8); or

"(B) if such person, promptly upon such revocation, shall have supplied to the owner of such brand, name, or trademark a correct itemized listing of the inventory of such goods with a statement of the price paid per item and the total price (including transportation costs) paid therefor, together with a firm offer to sell and deliver all such inventory to such owner at any time within ten days thereafter upon payment of such total price plus the cost of transportation to the owner in the manner directed by such owner, then such person, upon expiration of the ten-day term of such offer without acceptance may so sell such goods in such inventory, in the regular course of his business and within a reasonable time thereafter, without restriction as to price, in which event each advertisement of, or offer to sell, such goods, shall state plainly that the right of the reseller, offering such goods, to employ in any way the brand, name, or trademark carried by the goods has been revoked as to any such goods not in that reseller's possession at the time of such revocation.

"(10) Any person whose right to employ a brand, name, or trademark has been revoked by the owner thereof pursuant to the provisions of paragraph (8) of this subsection, and who thereafter, except as authorized by paragraph (9) of this subsection, resells goods identified by such brand, name, or trademark, or who otherwise employs such brand, name, or trademark in effecting resale of such goods or any other goods, shall be liable in a civil action for damages and injunctive relief by the owner of the brand, name, or trademark, to prevent and restrain

further violations of paragraphs (7) to (17), inclusive, of this subsection. Such owner may sue in any district court of the United States in the district in which defendant resides or does business or in which the alleged violation occurred, without respect to the amount in controversy, and shall be entitled to (i) recover the amount of any damages sustained, (ii) injunctive relief to prevent and restrain further violations of paragraphs (7) to (17), inclusive, of this subsection, whether or not specific money damages are established, and (iii) recover the cost of suit. Any injunction granted under clause (ii) of this paragraph shall remain in effect for not more than one year from the date it is granted unless it is the second or a subsequent such injunction issued against the same defendant in favor of the same plaintiff in which case it may be a permanent injunction; except that any such injunction, upon petition of such plaintiff may be vacated unconditionally by the court granting it.

"(11) In any proceeding under paragraph (10) it shall be a defense for the defendant (A) to establish that the plaintiff has not used due diligence to effectuate observance or enforcement of plaintiff's rights under paragraphs (7) to (17), inclusive, of this subsection against other persons who are in substantial competition with the defendant and who are known to plaintiff to be violating the same subparagraph of paragraphs (8) of this subsection on which revocation of the defendant's right to employ the brand, name, or trademark was based or (B) to establish that the plaintiff has sold the same kind of goods of like grade and quality as the goods involved in such proceeding to another person similarly situated under terms more favorable or at lower prices than those under which the plaintiff offered such goods for sale to the defendant.

"(12) No action pursuant hereto shall preclude remedial action otherwise available for wrongful use of a brand, name, or trademark.

"(13) Paragraphs (7) to (17), inclusive, of this subsection shall apply to all acts and transactions of the character referred to therein, in or affecting commerce, which Congress may lawfully regulate, but where the owner of a brand, name, or trademark avails himself of any right or remedy provided in paragraphs (7) to (17), inclusive, of this subsection, such action shall not cause any act of transaction not otherwise in, affecting, or related to, commerce to be an activity or transaction in, affecting, or related to, commerce. If any State, by any provision of its constitution adopted, or by any law enacted, after this paragraph takes effect, prohibits resale price maintenance in such State through the exercise of paragraphs (7) to (17), inclusive, of this subsection, then, while such provision or law is in effect, such paragraphs shall not authorize the establishment or enforcement of any resale price or resale price range with respect to any resale in such State of any goods if such goods so resold are to be delivered from a place in such State to a purchaser in such State and are not to be resold again for delivery to a purchaser outside of such State.

"(14) As used in paragraphs (7) to (17), inclusive, of this subsection—

"(A) The term 'person' means any individual, partnership, association, or corporation.

"(B) The term 'goods' means goods, wares, and merchandise.

"(C) The term 'currently established resale price' means the price for goods identified by a brand, name, or trademark specified by written notice involving paragraphs (7) to (17), inclusive, of this subsection given by the owner of such brand, name, or trademark to the person reselling such goods.

"(D) The term 'currently established resale price range' means all prices including and between the minimum and maximum resale prices for goods identified by a brand, name, or trademark, specified by written notice invoking paragraphs (7) to (17), inclusive, of this subsection given by the owners of such brand, name, or trademark to the person reselling such goods.

Each such currently established resale price and resale price range shall be uniform at each level of distribution, except for reasonable marketing costs. Such owner of the brand, name, or trademark may so establish, for resale of a combination of two or more items for goods, a resale price or price range different from the sum of the currently established resale price or price ranges for the items when sold individually. Such owner of the brand, name, or trademark may also engage in other promotional activities not made unlawful by any other statute.

"(15) All rights and remedies provided in paragraphs (7) to (17), inclusive, of this subsection, to owners of a brand, name, or trademark, shall be also available to any owner of a brand, name, or trademark who, in the sale of goods identified by such brand, name, trademark, shall compete, at any level of distribution, with any reseller offering such goods: *Provided*, That such owner shall sell such identified goods, at whatever level of distribution, only at the price or within the price range currently established by such owner for that level of distribution.

"(16) The following transactions shall be exempt from paragraphs (7) to (15), inclusive, of this subsection—

"(A) Sales of bulk commodities when sold without wrappers or containers.

"(B) Sales by any officer acting under the orders or authority of any duly constituted court; or sales by any person in mitigation of damages or enforcement of a lien or other secured interest in said goods, when such person is not primarily engaged in the distribution of goods for resale.

"(C) Sales of damaged, deteriorated, defaced, or secondhand goods, when plain notice of the condition of the goods is given to the public.

"(D) Sales of drugs, medicines, and devices for which either Federal or State law or regulations requires a prescription from a physician, dentist, or such other persons as the various States may authorize to prescribe such items.

"(E) Sales to or by the Federal, State, or municipal governments or their political subdivisions or agencies.

"(F) Sales to charitable, educational, medical, and religious organizations, for their own use and not for resale.

"(17) If any provision of paragraphs (7) to (17), inclusive, of this subsection or the application of any such provision to any person or circumstance shall be held invalid for any reason it is the intention of the Congress that the remaining provisions thereof shall not be affected but shall remain in full force and effect."

Mr. MORTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORTON. Do I correctly understand that under the unanimous-consent request, 1 hour of debate is allowed on each amendment?

The PRESIDING OFFICER. One hour on each amendment, to be divided equally. The Senator from Kentucky will have 30 minutes under his control, and 30 minutes will be under the control of the Senator from Washington.



Public Law 89-451
89th Congress, H. R. 15151
June 17, 1966

An Act

80 STAT. 202

To permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103(d) of the Agricultural Act of 1949, as amended, is amended by striking out of the last sentence in paragraph (3) thereof the words "income producing crop in such year." and inserting "crop for which there are marketing quotas or voluntary adjustment programs in effect."

Agriculture.
Alternative
crops.
79 Stat. 1194.
7 USC 1444.

SEC. 2. Section 105(e) of the Agricultural Act of 1949, as amended, is amended by striking out the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other income-producing crop during such year." and inserting in lieu thereof the sentence "an acreage on the farm which the Secretary finds was not planted to feed grains because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of feed grains planted for harvest for purposes of such payments provided such acreage is not subsequently planted to any other crop for which there are marketing quotas or voluntary adjustment programs in effect."

7 USC 1441
note.

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the sentence reading "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any other income-producing crops during such year." and inserting in lieu thereof the sentence "an acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for purposes of this subsection provided such acreage is not subsequently planted to any crop for which there are marketing quotas or voluntary adjustment programs in effect."

79 Stat. 1204.
7 USC 1379c.

Approved June 17, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1549 (Comm. on Agriculture) and No. 1611 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 112 (1966):

- May 24: Considered and passed House.
- June 1: Considered and passed Senate, amended.
- June 7: House agreed to conference report.
- June 8: Conference report considered in Senate.
- June 9: Senate agreed to conference report.

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